



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 28, 2001

Mr. Alan E. Scoll  
D.S.Thaler & Associates, Inc.  
7115 Ambassador Road  
P. O. Box 47428  
Baltimore, MD 21244-7428

Dear Mr. Scoll:

RE: 7907-09 Belair Road, PDM file #XIV-291

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. The zoning of this site per the 1"-200' scale zoning map is NE 7-E is B.L. (Business, Local). Your request is for verification that a 1-story building with just under 5,600 square feet of general retail use as shown in the submitted plan would be permitted on this site. Prior hearings, for a special exception (Case #89-136-X) and later variance (Case #95-494-A) were granted but never utilized. Additionally this proposal has been approved for processing as a "refinement" to the previously approved Development Plan by the DRC on October 19, 2000 (#101000I). As such, your client's proposal for the above referenced use would be permitted.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "John J. Sullivan".

John J. Sullivan  
Planner II  
Zoning Review

JJS:ggs

Enclosure

C: Letter file 14<sup>th</sup> District  
Hearing file #95-494-A  
PDM file #XIV-291



Printed with Soybean Ink  
on Recycled Paper

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 28, 2001

Mr. Alan E. Scoll  
D.S.Thaler & Associates, Inc.  
7115 Ambassador Road  
P. O. Box 47428  
Baltimore, MD 21244-7428

Dear Mr. Scoll:

RE: 7907-09 Belair Road, PDM file #XIV-291

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. The zoning of this site per the 1"-200' scale zoning map is NE 7-E is B.L. (Business, Local). Your request is for verification that a 1-story building with just under 5,600 square feet of general retail use as shown in the submitted plan would be permitted on this site. Prior hearings, for a special exception (Case #89-136-X) and later variance (Case #95-494-A) were granted but never utilized. Additionally this proposal has been approved for processing as a "refinement" to the previously approved Development Plan by the DRC on October 19, 2000 (#101000I). As such, your client's proposal for the above referenced use would be permitted.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Sullivan".

John J. Sullivan  
Planner II  
Zoning Review

JJS:ggs

Enclosure

C: Letter file 14<sup>th</sup> District  
Hearing file #95-494-A  
PDM file #XIV-291



Printed with Soybean Ink  
on Recycled Paper

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

IN RE: PETITION FOR VARIANCE  
SE/S Belair Road, 206' NE of  
the c/l of Fitch Avenue  
(7907-7909 Belair Road)  
14th Election District  
6th Councilmanic District  
  
7907-7909 Belair Associates, Inc.  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-494-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 7907-7909 Belair Road, located in the vicinity of Fitch Avenue in Fullerton. The Petition was filed by the owners of the property, 7907-7909 Belair Associates, Inc., by Alvin Miller, President, and the Contract Purchaser/Lessee, McDonald's Corporation, by Jeff Bartko, through their attorney, Stanley Fine, Esquire. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.4 to permit a one-way parking aisle width of 14 feet in lieu of the required 16 feet; from Section 409.10(B) to permit a drive-through lane to cross the principal pedestrian access to the facility; from Section 409.4(A) to permit a one-way drive aisle width of 10 feet in lieu of the required 12 feet; from Section 409.4(B) for parking off the driveway in lieu of the required aisle; from Section 409.10(A) to permit four (4) stacking spaces behind the Order Board in lieu of the required 5 spaces; from Section 409.8(A)(1) to permit a landscape buffer of 5 feet in lieu of the required 10 feet; and, from Section 413.2(F) to permit business signs totalling 144 sq.ft. in lieu of the maximum permitted 100 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Appearing on behalf of the Petition were Jeffrey J. Bartko and Rick Reichenbach, representatives of McDonald's Corporation, Contract Lessee, Robert S. Rosenfelt and Kenneth J. Colbert, Professional Engineers with Colbert, Matz, Rosenfelt, Inc., who prepared the site plan for this project, and Stanley S. Fine, Esquire, attorney for the Petitioners. Also appearing on behalf of the Petition were E. D. Lewis, Stan Borlie and Frank Pilarski, nearby residents of the area. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 26,850 sq.ft., zoned B.L., and is presently improved with two dwellings, both of which have been vacant and boarded up since the 1980s. The Petitioners are desirous of developing the site with a McDonald's fast food restaurant in accordance with Petitioner's Exhibit 1. Due to the size and shape of the lot and its location along this busy stretch of Belair Road, the requested variances are necessary. As is customary with other McDonald's developments, the subject site will be attractively laid out and landscaped. Testimony indicated that McDonald's has met with adjoining property owners and have received their full support of the proposed project.

The B.C.Z.R., specifically Section 307.1, established a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are

to be placed (or uses conducted) is -- in and of itself -- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.) have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for


- 5 -

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with all Zoning Plans Advisory Committee (ZAC) comments submitted and incorporated into the case file.

3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

August 7, 1995

(410) 887-4386

Stanley S. Fine, Esquire  
20 S. Charles Street  
Baltimore, Maryland 21201

RE: PETITION FOR VARIANCE  
SE/S Belair Road, 206' NE of the c/l of Fitch Avenue  
(7907-7909 Belair Road)  
14th Election District - 6th Councilmanic District  
7907-7909 Belair Associates, Inc. - Petitioners  
Case No. 95-494-A

Dear Mr. Fine:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Alvin Miller, President, 7907-7909 Belair Assoc., Inc.  
P.O. Box 21545, Baltimore, Md. 21208-0541

Mr. Jeffrey Bartko, McDonald's Corporation  
8850 Stanford Boulevard, Columbia, Md. 21045

Mr. Robert S. Rosenfelt, Mr. Kenneth J. Colbert, and Ms. Judith Floam  
Colbert, Matz, Rosenfelt, Inc., 3723 Old Court Road, Suite 206,  
Baltimore, Md. 21208

Mr. E. D. Lewis, 7904 St. Mary's Drive, Baltimore, Md. 21236  
Mr. Stan Borlie, 4210 Fitch Avenue, Baltimore, Md. 21236  
Mr. Frank Pilarski, 7911 Belair Road, Baltimore, Md. 21236

People's Counsel; Case File



ENCLOSURE



# 486



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7907-09 BELAIR ROAD

95-494-A

which is presently zoned B.L.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED SHEET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) SHAPE AND SIZE OF THE LOT DOES NOT PERMIT 16 FOOT PARKING AISLES, A 12 FOOT DRIVE-THROUGH LANE, SEPARATE DRIVE AISLES, 5 STACKING SPACES BEHIND THE ORDER BOARD OR A 10 FOOT LANDSCAPE BUFFER ALONG THE NORTH SIDE. ADDITIONAL SIGN AREA IS REQUIRED FOR MENU BOARD.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

JEFF BARTKO  
MCDONALD'S CORPORATION

(Type or Print Name)

Signature

8850 STANFORD BLVD.

Address

COLUMBIA MD 21045

City State Zipcode

Attorney for Petitioner:

STANLEY FINE, ESQ.

(Type or Print Name)

Signature

20 S. CHARLES ST. 410-539-6967

Address Phone No.

BALTIMORE MD 21201

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

ALVIN MILLER, PRESIDENT  
7907-09 BELAIR ASSOCIATES, INC.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

P.O. BOX 21545

Address Phone No.

BALTIMORE MD 21208-0541

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

JUDITH FLOAM

COLBERT MATZ ROSENFELD, INC.

3723 OLD COURT ROAD, STE. 206

BALTIMORE, MD 21208 410-653-3838

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING  
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE 6/26/95

ORDER RECEIVED FOR FILING

Date

By



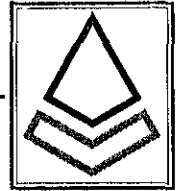
409.4 TO PERMIT A 14 FOOT ONE-WAY PARKING AISLE IN LIEU OF THE REQUIRED 16 FEET; SEC. 409.10(B) TO PERMIT A DRIVE-THROUGH LANE TO CROSS THE PRINCIPAL PEDESTRIAN ACCESS TO THE FACILITY; SEC. 409.4(A) TO PERMIT A 10 FOOT ONE-WAY DRIVE AISLE IN LIEU OF THE REQUIRED 12 FEET; SEC. 409.4(B) FOR PARKING OFF THE DRIVEWAY IN LIEU OF THE REQUIRED AISLE; SEC. 409.10(A) FOR 4 STACKING SPACES BEHIND THE ORDER BOARD IN LIEU OF 5 SPACES; SEC. 409.8(A)(1) TO PERMIT A 5 FOOT LANDSCAPE BUFFER IN LIEU OF THE REQUIRED 10 FEET AND 413.2(F) TO PERMIT BUSINESS SIGNS TALLING 144 SQUARE FEET IN LIEU OF THE REQUIRED 100 SQUARE FEET.

MICROFILMED

95-494-A

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

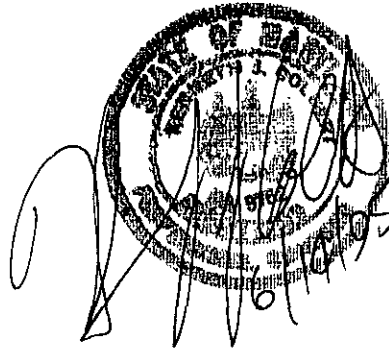


ZONING DESCRIPTION  
MCDONALD'S RESTAURANT  
7907 BELAIR ROAD

BEGINNING AT A POINT ON THE SOUTHEAST SIDE OF BELAIR ROAD (U.S. ROUTE 1) AS NOW WIDENED AND SHOWN ON MARYLAND SRC RIGHT-OF-WAY PLAT NO. 51871; 206 FEET, MORE OR LESS, FROM THE CENTERLINE OF FITCH AVENUE; THENCE RUNNING NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE OF BELAIR ROAD BY A CURVE TO THE LEFT HAVING A RADIUS OF 11511.16 FEET, A LENGTH OF 150.01 FEET AND A CHORD BEARING NORTH 39 DEGREES 44 MINUTES 22 SECONDS EAST 150.01 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING SOUTH 49 DEGREES 38 MINUTES 17 SECONDS EAST 177.08; THENCE SOUTH 38 DEGREES 12 MINUTES 04 SECONDS WEST 150.11 FEET; THENCE NORTH 49 DEGREES 38 MINUTES 17 SECONDS WEST 181.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 26,840 SQUARE FEET OR 0.6162 ACRES OF LAND, MORE OR LESS.

J:COL\DESC\94116.WPF



# 486

95-494-12

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Townson, Maryland

District 14th Date of Posting 7/23/95

Posted for: Variances

Petitioner: McDonald's Corp.

Location of property: 7807-09 Belair Rd. SE/2

Location of Signs: Facing driveway for property being zoned

Remarks: \_\_\_\_\_

Posted by [Signature] Date of return: 7/28/95  
Signature

Number of Signs: 1



# CERTIFICATE OF PUBLICATION

TOWSON, MD.,

*July 14, 1990*

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 13, 1990.

THE JEFFERSONIAN,

*A. H. Erickson*

LEGAL AD. - TOWSON

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-494-A  
(Item 486)  
7907-09 Belair Road  
SE/S Belair Road, 206' NE  
of c/d Fitch Avenue  
14th Election District  
6th Councilmanic  
Legal Owner(s):  
7907-09 Belair Associates, Inc.  
Contract Purchaser(s):  
McDonald's Corporation  
Hearing: Monday,  
August 7, 1995 at 10:00  
a.m. in Rm. 118, Old  
Courthouse.

Variance to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; to permit a drive-through lane to cross the principal pedestrian access to the facility; to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; for parking off the driveway in lieu of the required aisle; for 4 stacking spaces behind the order board in lieu of 5 spaces; to permit a 5-foot landscape buffer in lieu of the required 10 feet; and to permit business signs totalling 144 square feet in lieu of the required 100 square feet.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.  
7/134 July 13.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

95-1194-A  
No.

DATE 6/26/95 ACCOUNT 01-615

Item 486  
Taken By: MDK AMOUNT \$ 285.00  
McDonald's 7707-09 Belair Road  
RECEIVED FROM: Balto Region Disbursement Account  
020 - Comm Variance - \$ 250.00  
030 - 1 Sign - \$ 35.00  
FOR: Total \$ 285.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

95-1194-A  
No.

DATE 6/26/95 ACCOUNT 01-615

Item 486  
Taken By: MDK AMOUNT \$ 285.00  
McDonald's 7707-09 Belair Road  
RECEIVED FROM: Balto Region Disbursement Account  
020 - Comm Variance - \$ 250.00  
030 - 1 Sign - \$ 35.00  
FOR: Total \$ 285.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Case No.: \_\_\_\_\_ Item No.: 486

Petitioner: McDonald's Corp

LOCATION: 7907-09 Belair Rd

**PLEASE FORWARD ADVERTISING BILL TO:**

NAME: Stanley Fine, Esq

ADDRESS: 20 S. Charles St.

Balto. Md. 21201

PHONE NUMBER: 410-539-6967

AJ:ggs  
(Revised 3/29/93)

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY  
July 13, 1995 Issue - Jeffersonian

Please forward billing to:

Stanley Fine, Esq.  
20 S. Charles Street  
Baltimore, MD 21201  
539-6967

---

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-494-A (Item 486)  
7907-09 Belair Road  
SE/S Belair Road, 206' NE of c/l Fitch Avenue  
14th Election District - 6th Councilmanic  
Legal Owner(s): 79-7-09 Belair Associates, Inc.  
Contract Purchaser(s): McDonald's Corporation  
HEARING: MONDAY, AUGUST 7, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; to permit a drive-through lane to cross the principal pedestrian access to the facility; to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; for parking off the driveway in lieu of the required aisle; for 4 stacking spaces behind the order board in lieu of 5 spaces; to permit a 5-foot landscape buffer in lieu of the required 10 feet; and to permit business signs totalling 144 square feet in lieu of the required 100 square feet.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-494-A (Item 486)  
7907-09 Belair Road  
SE/S Belair Road, 206' NE of c/l Fitch Avenue  
14th Election District - 6th Councilmanic  
Legal Owner(s): 79-7-09 Belair Associates, Inc.  
Contract Purchaser(s): McDonald's Corporation  
HEARING: MONDAY, AUGUST 7, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; to permit a drive-through lane to cross the principal pedestrian access to the facility; to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; for parking off the driveway in lieu of the required aisle; for 4 stacking spaces behind the order board in lieu of 5 spaces; to permit a 5-foot landscape buffer in lieu of the required 10 feet; and to permit business signs totalling 144 square feet in lieu of the required 100 square feet.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director  
Department of Permits and Development Management

cc: 7907-09 Belair Associates, Inc.  
Judith Floam/Colbert Matz Rosenfelt, Inc.  
McDonald's Corporation/Jeff Bartko  
Stanley Fine, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 31, 1995

Stanley Fine, Esquire  
20 S. Charles Street  
Baltimore, Maryland 21201

RE: Item No.: 486  
Case No.: 95-494-A  
Petitioner: Belair Associates

Dear Mr. Fine:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

MICROFILMED





**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

July 25, 1995

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Baltimore County  
US 1  
McDonald's Restaurant  
South east side  
7907 Belair Road  
Variance Request  
Item #486 (MJK)  
Mile Post 17.20

Dear Ms. Watson:

This letter is in response to your request for our review of the plan for the referenced item.

In our previous review of a concept plan for the subject development, and in our letter dated May 25th to Mr. Donald Rascoe, Development Manager, we indicated that the proposed entrance improvements onto US 1 were generally acceptable to the State Highway Administration (SHA).

However, the subject development is located within the construction limits of the SHA's US 1 reconstruction and widening project B-818-504-471, tentatively scheduled to be completed in October of 1995. Included in this project is the construction of a concrete median within US 1 along the entire frontage of the subject property. This median will restrict both left-turns into the site from southbound US 1 and left-turns out of this site to northbound US 1. With this in mind, the SHA would not support a median break for the proposed development since it would not meet the SHA's minimum median break spacing standards of 750'.

In addition, since the date of our May 1995 letter, it has come to our attention that there is an existing drainage problem along US 1, just west of the subject property.

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Joyce Watson  
Page Two  
July 25, 1995

Therefore, although the proposed grades indicated on the plan should allow on-site drainage to occur away from US 1, we will require the developer to submit an inlet spacing analysis along the property frontage of US 1 for our review in order to determine what impact if any, the proposed entrance construction may have on existing drainage conditions on US 1.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

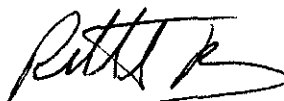
- a. Nine (9) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (**include Federal ID number or social security number on certified checks only**) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland (**Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection**).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Ms. Joyce Watson  
Page Three  
July 25, 1995

Therefore, we have no objection to approval of the referenced variance request, subject to our aforementioned comments. Should you have any questions, or require additional information, please contact Bob Small at 410-333-1350. Thank you for the opportunity to review this plan.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Burns', with a stylized flourish at the end.

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

cc: Mr. Brian Dolan w/att.  
Mr. Bowden Ward w/att.

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/13/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: 7907-09 BELAIR ASSOCIATES INC.

LOCATION: SE/5 BELAIR RD, 206' NE OF CENTERLINE FITCH AVE.  
(7907-09 BELAIR RD.)

Item No.: 486

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:   Arnold Jablon, Director           DATE:   July 24, 1995  
      Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief  
      Development Plans Review Division

RE:    Zoning Advisory Committee Meeting  
      for July 17, 1995  
      Item No. 486

The Development Plans Review Division has reviewed the subject zoning item. This office supports the variance request to permit a 5-foot landscape buffer in lieu of the required 10 feet.

RWB:sw

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 7/18/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 7/10/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 478

479

480

481

483

484

485

486

487

489

490

491

494

496

revised 467

LS:sp

LETTY2/DEPRM/TXTSBP



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: July 31, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 7907-09 Belair Road

INFORMATION:

Item Number: 486

Petitioner: 7907-09 Belair Associates

Property Size:

Zoning: BL

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The petitioner has requested variances to permit width reductions of the one way parking aisle and the drive-through lane collectively reducing the driveway width by four feet. The overall distance between the edge of the curbing next to the McDonalds and the landscape strip has remained the same. The resulting distance between the drive-through lane and the diagonal parking spaces may not provide enough space for cars parked in the diagonal spaces to back up. Since, however, the applicant is confident that the reduced widths from the County standards are adequate, staff will support this shift in width based on the condition that no future variances are applied for to reduce the width of the landscape areas shown on the development plan which are located along the perimeter. The petitioner needs to demonstrate the efficiency of the proposed internal circulation pattern to the satisfaction of the Zoning Commissioner to assure that this arrangement will indeed work. In addition, parking stops shall be placed to protect the planted areas from overlapping car bumpers.

The Office of Planning supports the landscape variance from 10' to 5' along the side yard based on the following conditions:

1. A solid evergreen tree buffer should be planted (species to be approved by the County Landscape Architect) and a solid 5' high wood fence should be installed along the length of the side yard and rear property line.
2. The planting area shown on the plan located along the south side of the property should be planted with the equivalent number of planting units equal to a class A screening calculated for the length of the side yard. The planting should provide a hedge and a row of major trees.

MICROFILMED

3. The landscape plan should incorporate tree plantings as shown on the attached sketch as provided to Avery Harden by the Office of Planning.
4. A landscape plan should be provided for the interior landscaping of the planting areas surrounding the restaurant. This planting should include flowering trees in front and a large canopy tree in the back.
5. All trees along Belair Road should be major deciduous trees.

Prepared by:

*J. Gray W. Long*

Division Chief:

*Carol L. Kerns*

PK/JL

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:            Lawrence E. Schmidt      DATE:   August 7, 1995  
                Zoning Commissioner

FROM:          Jeffrey Long      *J.L.*  
                Office of Planning

SUBJECT:      7907-09 Belair Rd.

Please be advised that our comment of July 31, 1995 contained a typographic error. The second paragraph should read as follows: The Office of Planning supports the landscape variance from 10' to 5' along the side yard based on the following conditions:

MAC1/PZONE/TXTJWL

*MAC1/PZONE/TXTJWL*

## **PETITION PROBLEMS AGENDA OF JULY 10, 1995**

### **#479 --- CAM**

1. No review information on bottom of petition form.

### **#485 --- JJS**

1. Only one legal owner signature -- need signature of Kang.
2. Need original signature for lessee.

### **#486 --- MJK**

1. Petitioner was not given copy of receipt (still in folder).
2. Need telephone number for legal owner.
3. Need title of person signing for contract purchaser.

### **#488 --- RT**

1. Need typed or printed name and title of person signing for contract purchaser.

### **#489 --- JRA**

1. Need title of person signing for legal owner.

### **#493 --- JRA**

1. Need telephone number for legal owner.
2. Need address for legal owner.
3. Need telephone number for attorney.

### **#494 --- JRA**

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

### **#495 --- JJS**

1. Notary public section is incomplete.

### **#496 --- JJS**

1. No original signatures on petitions.

|  |   |                     |
|--|---|---------------------|
| RE: PETITION FOR VARIANCE                | * | BEFORE THE          |
| 7907-09 Belair Road, SE/S Belair Road,   | * |                     |
| 206' NE of c/l Fitch Avenue, 14th        | * | ZONING COMMISSIONER |
| Election District - 6th Councilmanic     | * |                     |
|  | * | OF BALTIMORE COUNTY |
| Legal Owner: 7907-09 Belair Assoc., Inc. | * |                     |
| Contract Purchaser(s): McDonald's Corp.  | * | CASE NO. 95-494-A   |
| Petitioners                              |   |                     |
| * * * * *                                |   |                     |

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Stanley Fine, Esquire, 20 S. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

February 28, 2001

Mr. Alan E. Scoll  
D.S. Thaler & Associates, Inc.  
7115 Ambassador Road  
P. O. Box 47428  
Baltimore, MD 21244-7428

Dear Mr. Scoll:

RE: 7907-09 Belair Road, PDM file #XIV-291

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. The zoning of this site per the 1"-200' scale zoning map is NE 7-E is B.L. (Business, Local). Your request is for verification that a 1-story building with just under 5,600 square feet of general retail use as shown in the submitted plan would be permitted on this site. Prior hearings, for a special exception (Case #89-136-X) and later variance (Case #95-494-A) were granted but never utilized. Additionally this proposal has been approved for processing as a "refinement" to the previously approved Development Plan by the DRC on October 19, 2000 (#101000I). As such, your client's proposal for the above referenced use would be permitted.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan  
Planner II  
Zoning Review

JJS:ggs

Enclosure

C: Letter file 14<sup>th</sup> District  
Hearing file #95-494-A  
PDM file #XIV-291

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

STANLEY S. FINE

20 S. CHARLES ST - 21201

Robert S. Rosenfeld, P.E.

Colbert Matz Rosenfeld, Inc.  
3723 Old Ct. Rd Suite 206 21208

KENNETH J. COLBERT, P.E.

11

RICK REICHENBACH

{ MCDONALDS CORP.  
6850 STANFORD BLVD SUITE 2000  
COLUMBIA MD 21045

Jeffrey J. BARTKO

\* Ed. Lewi

7704 St Marys Dr 21236

\* STAN BUNLIE

4210 FITCH AVE. 21236

\* FRANK PILARSKI

7911 BELAIR RD 21236



Printed with Soybean Ink  
on Recycled Paper

WIGGINS WELLS

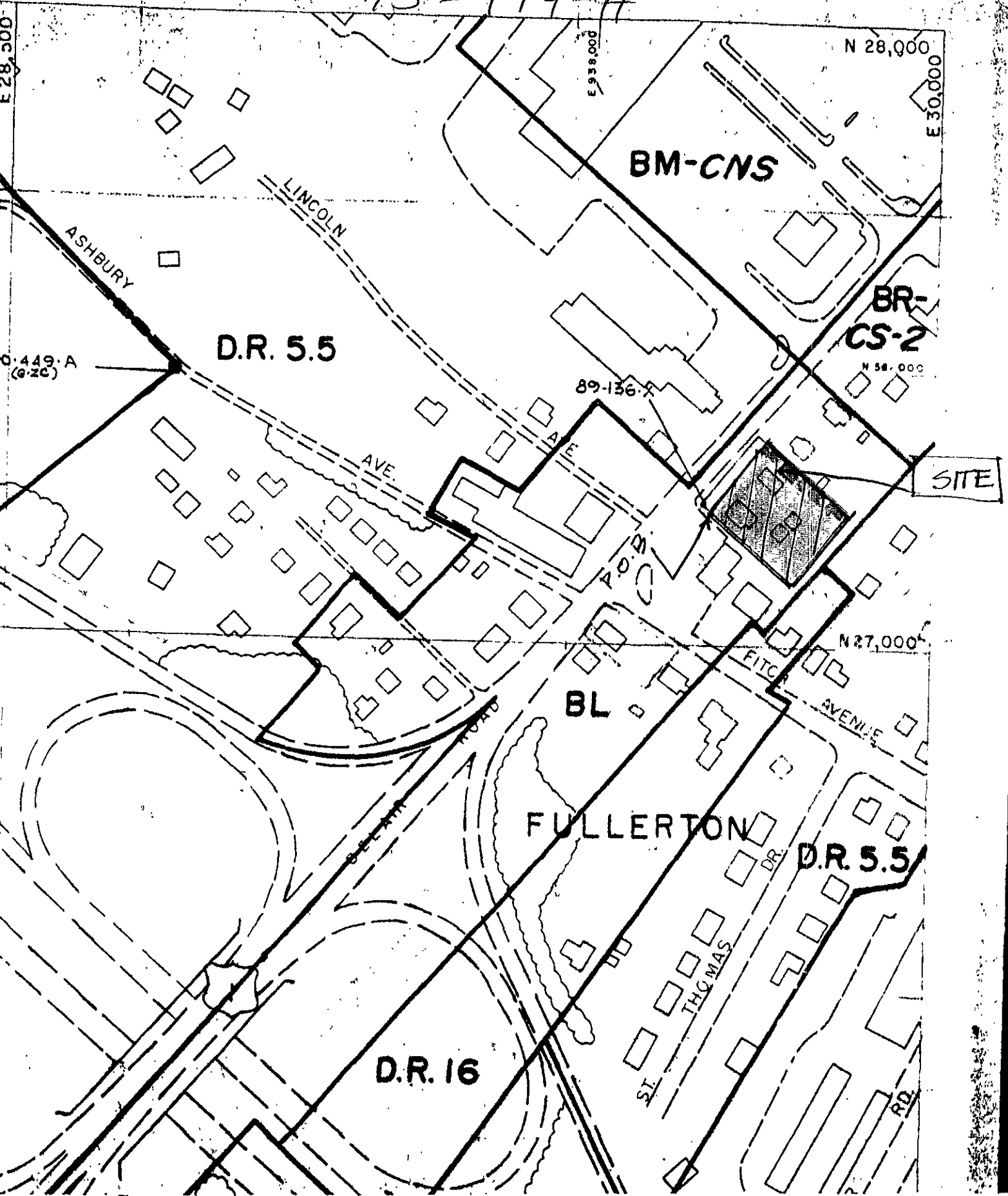
# 486

N.E.-7-E

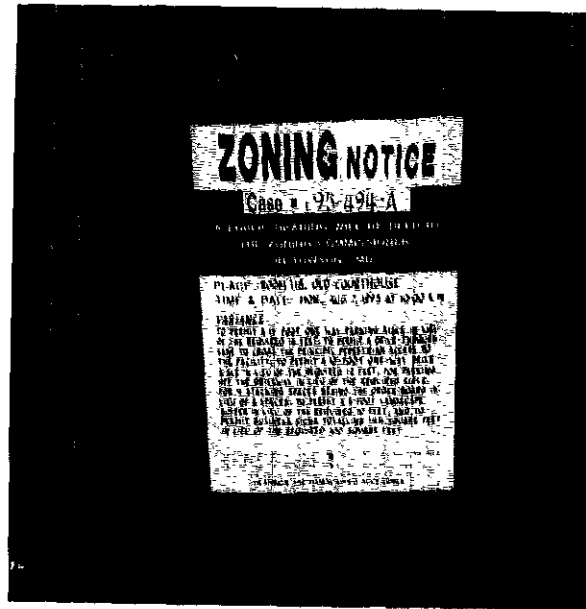
1"=200'

7907 BELAIR ROAD

95-494-A







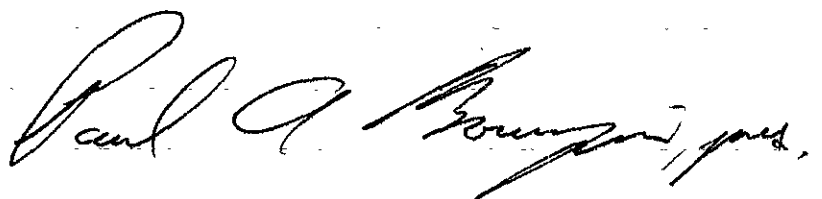
95-494-A

To: Deputy Zoning Commissioner Timothy Kotter

8/4/95

I am the owner and operator of the business and property located at 7901 Belair Road and known Fullerton Auto Service Center. I have no objection to the proposed McDonald's restaurant to be located at 7907-09 Belair Road, which is next to my property.

Paul B. Bourquin, Pres.

A handwritten signature in cursive script that reads "Paul B. Bourquin, pres.".

Bourquin Enterprises, Inc.

PETITIONER'S  
EXHIBIT

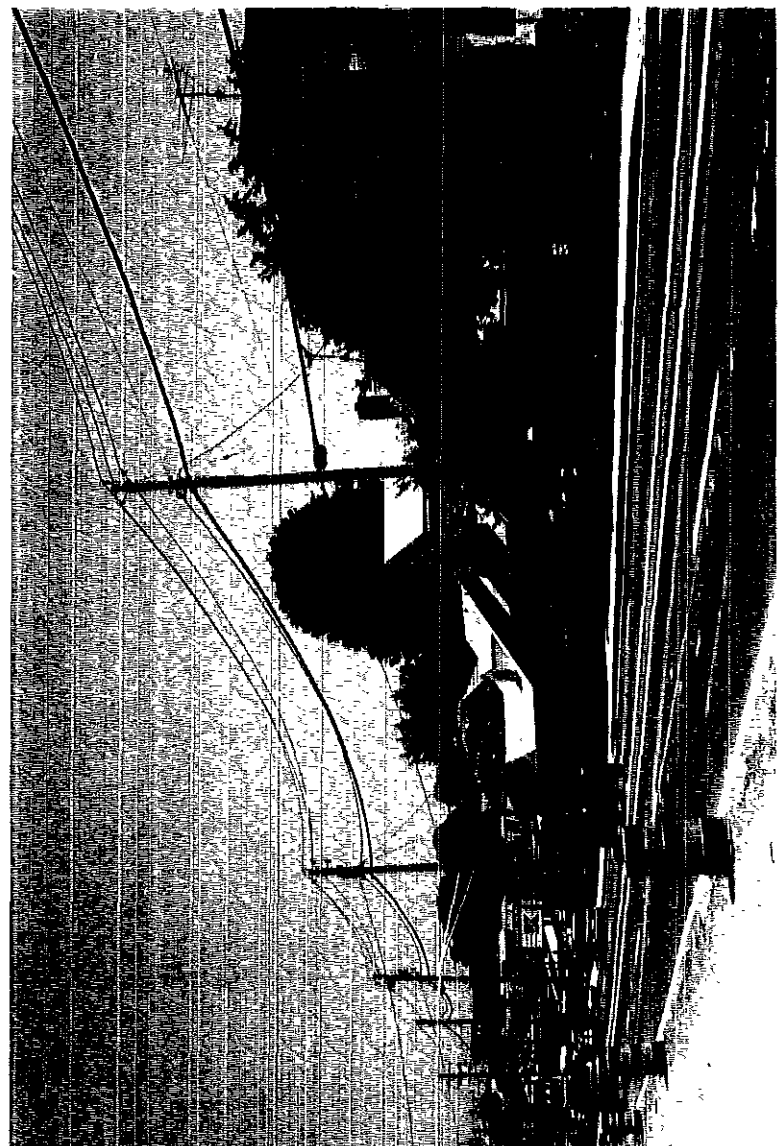
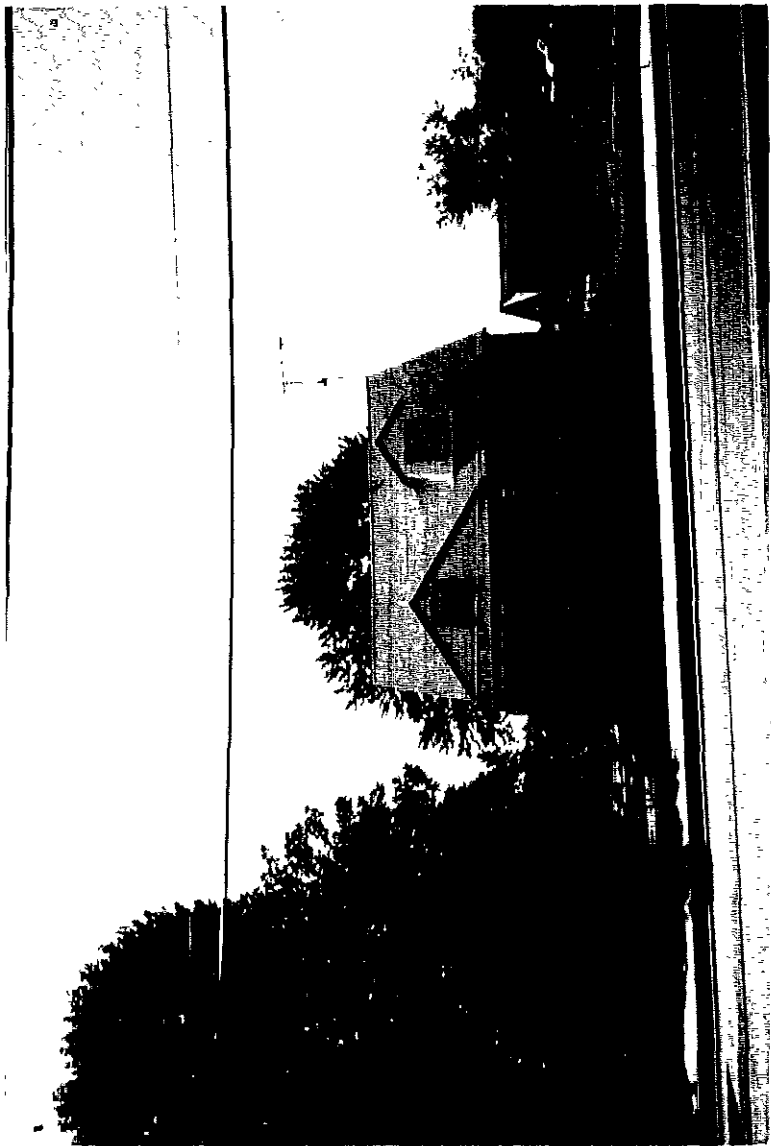
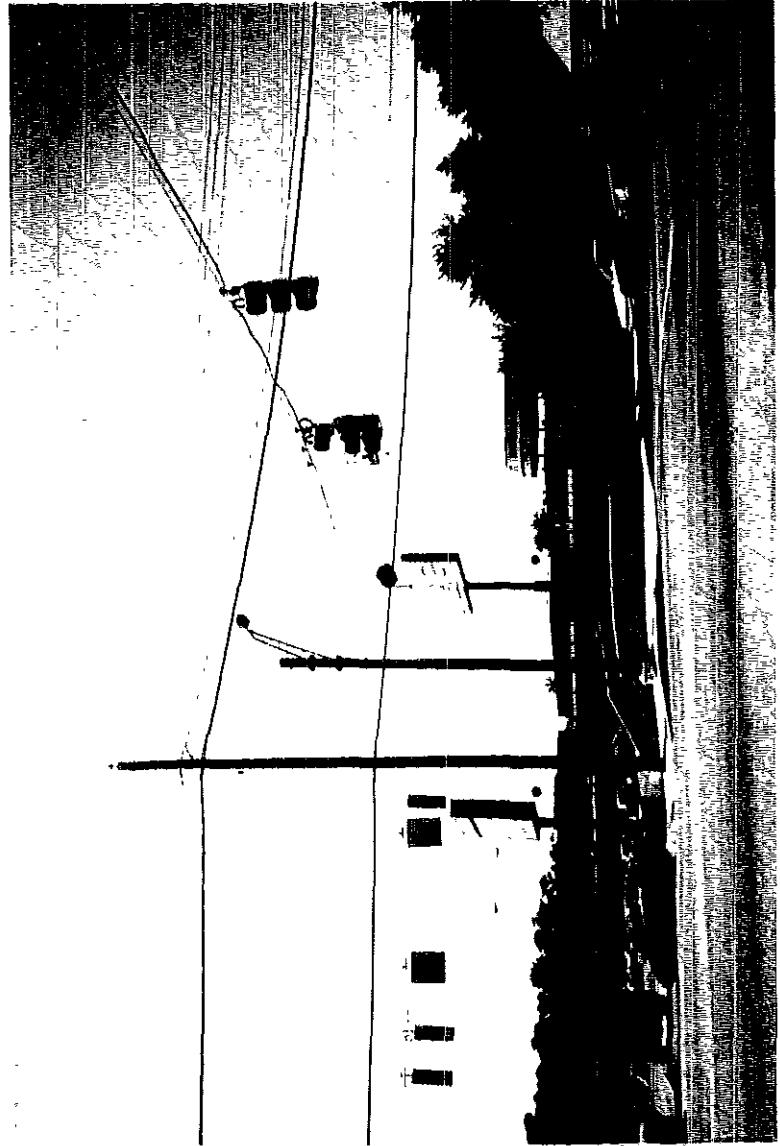
PETITIONER'S EXHIBITS 2A-D



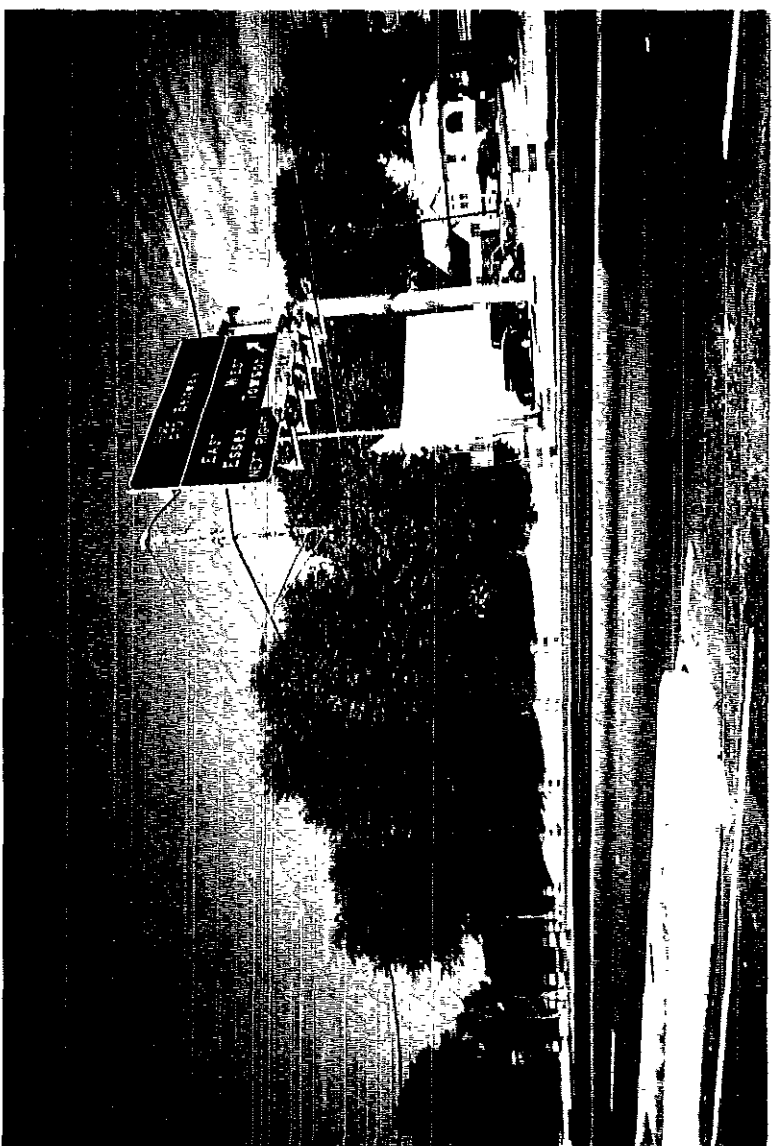
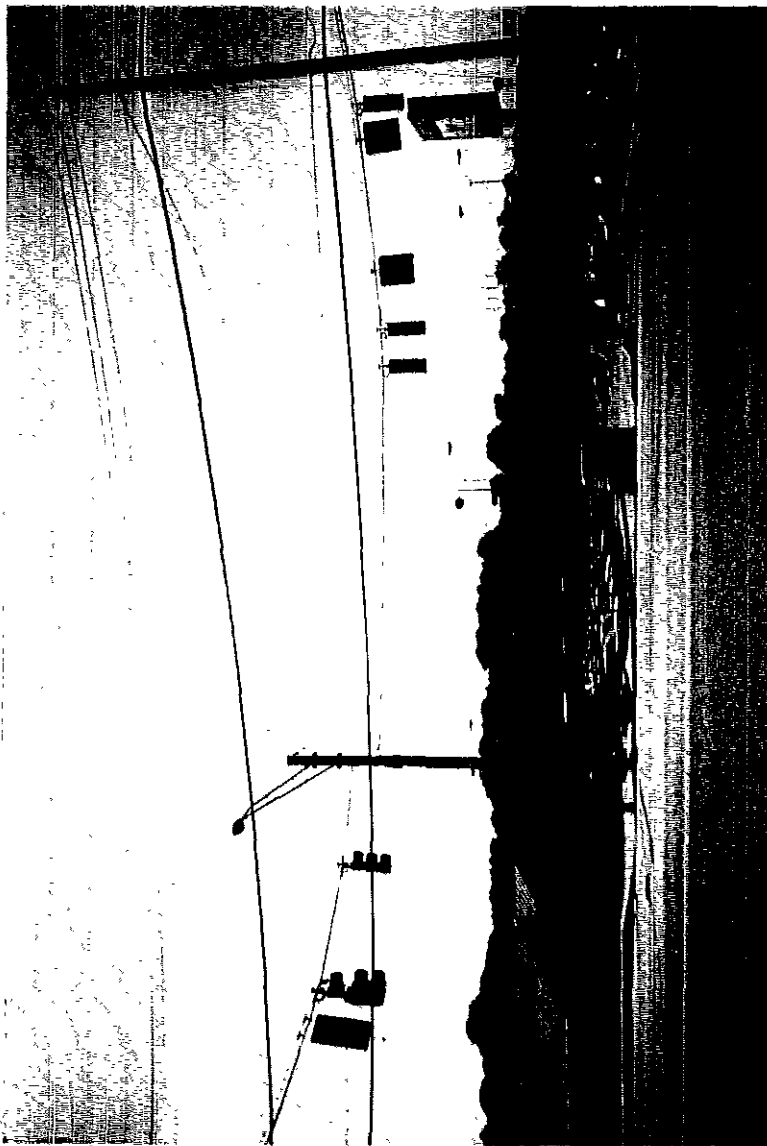
PETITIONER'S EXHIBITS 2E, 3A-C



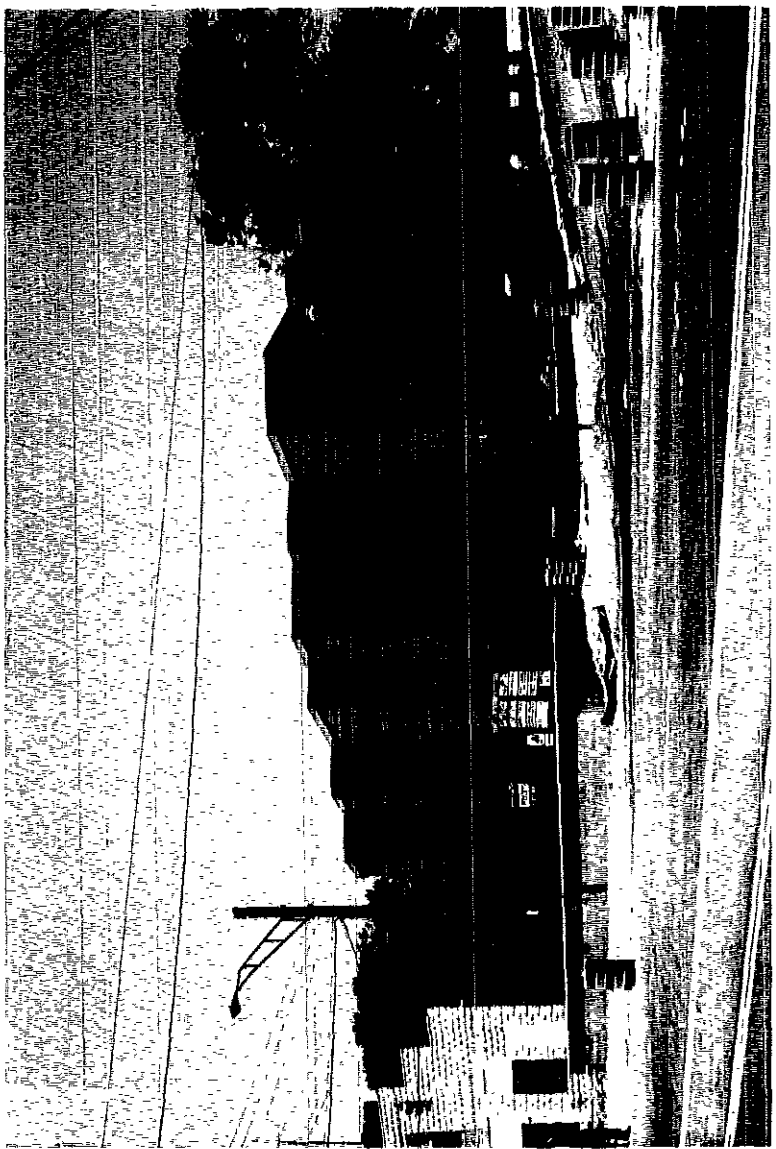
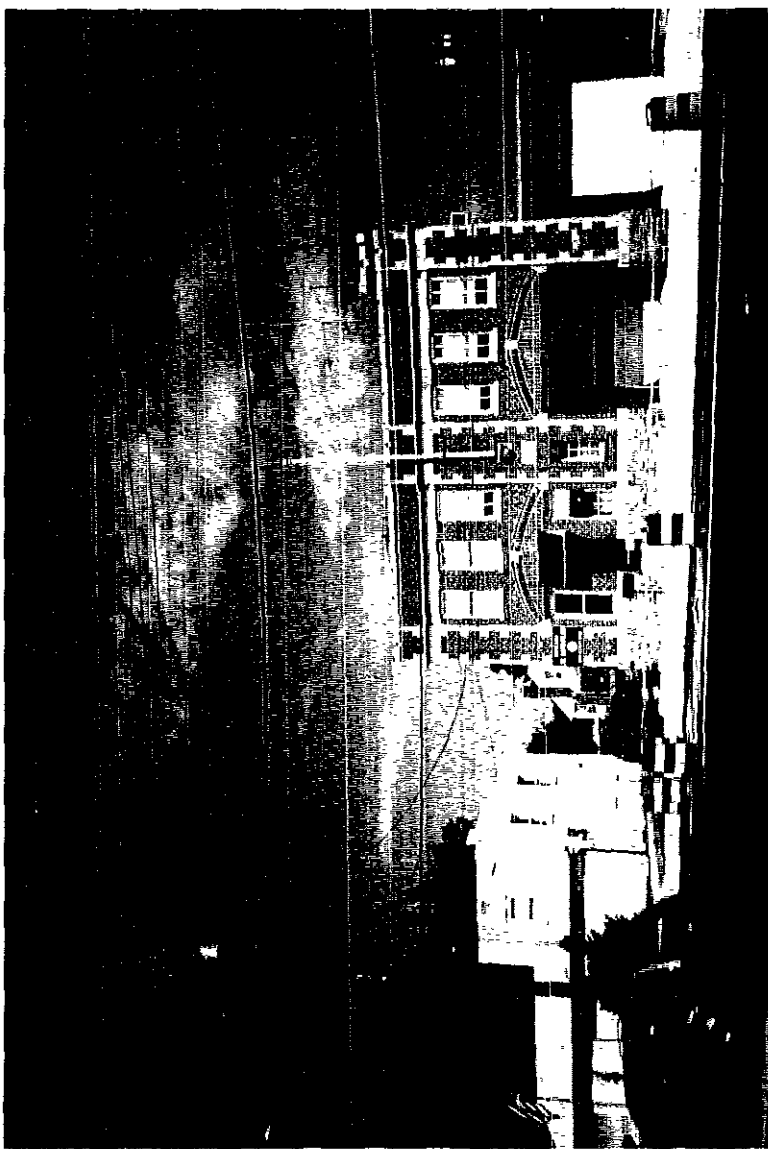
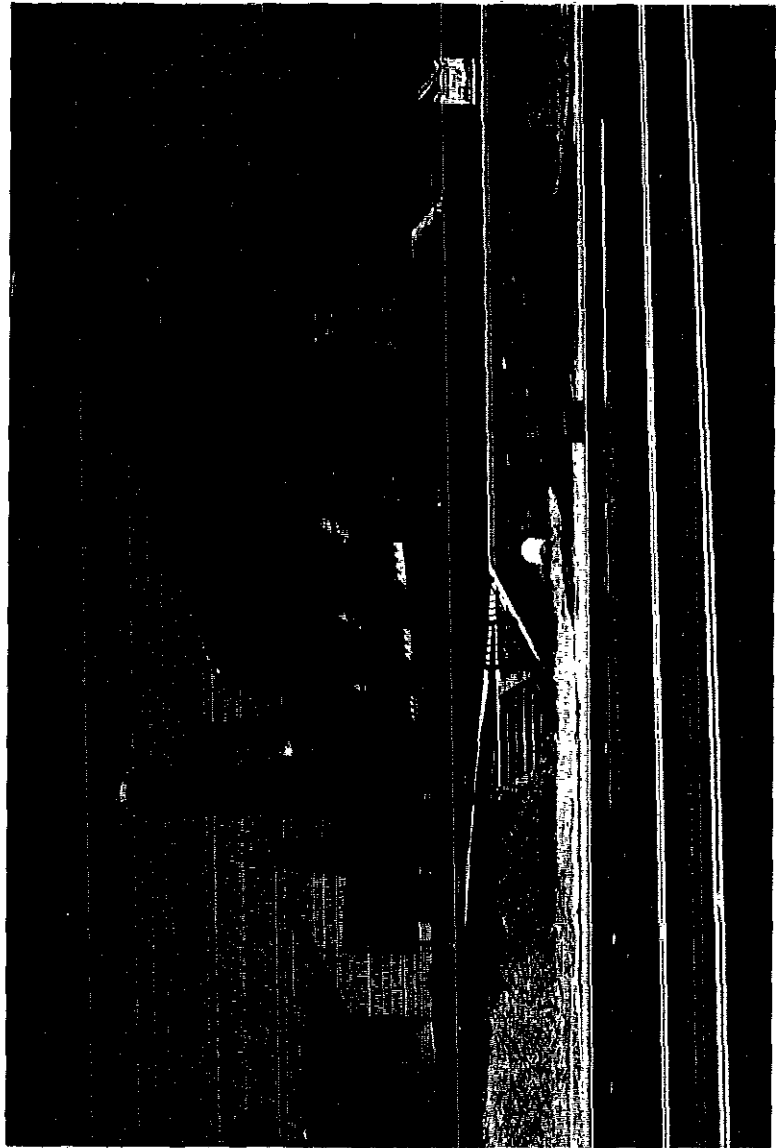
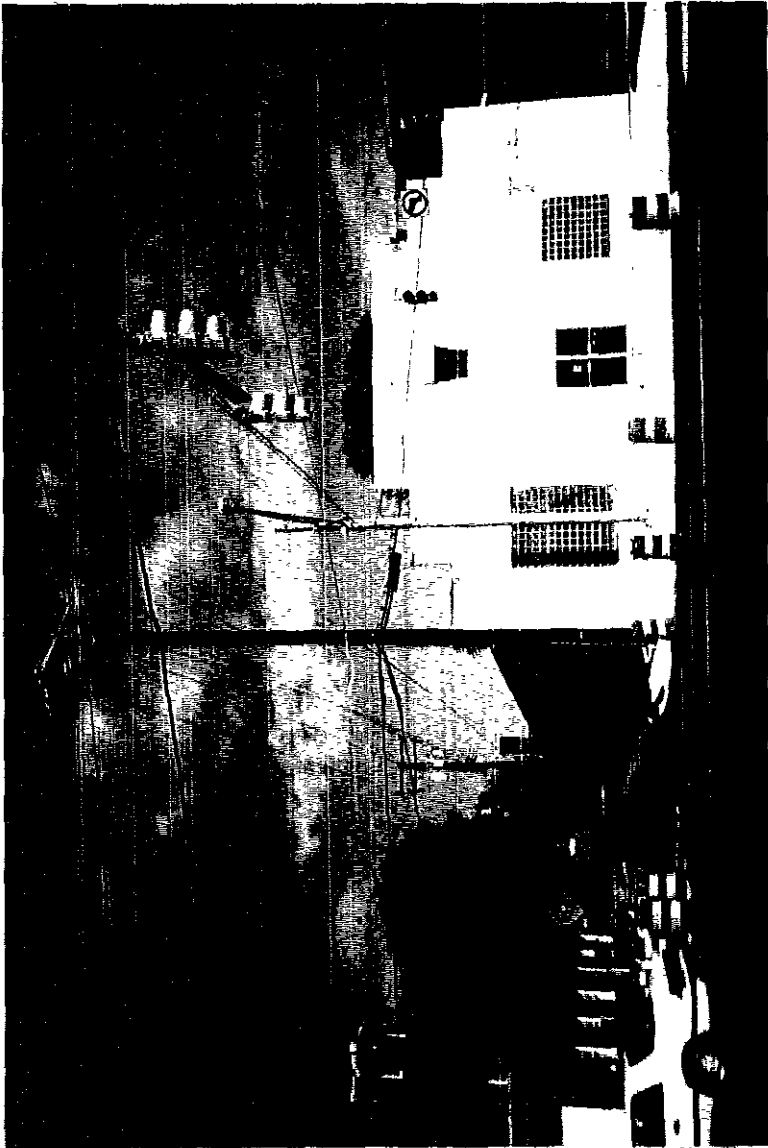
PETITIONER'S EXHIBITS 3D-G



PETITIONER'S EXHIBITS 3H-1, 4A-B

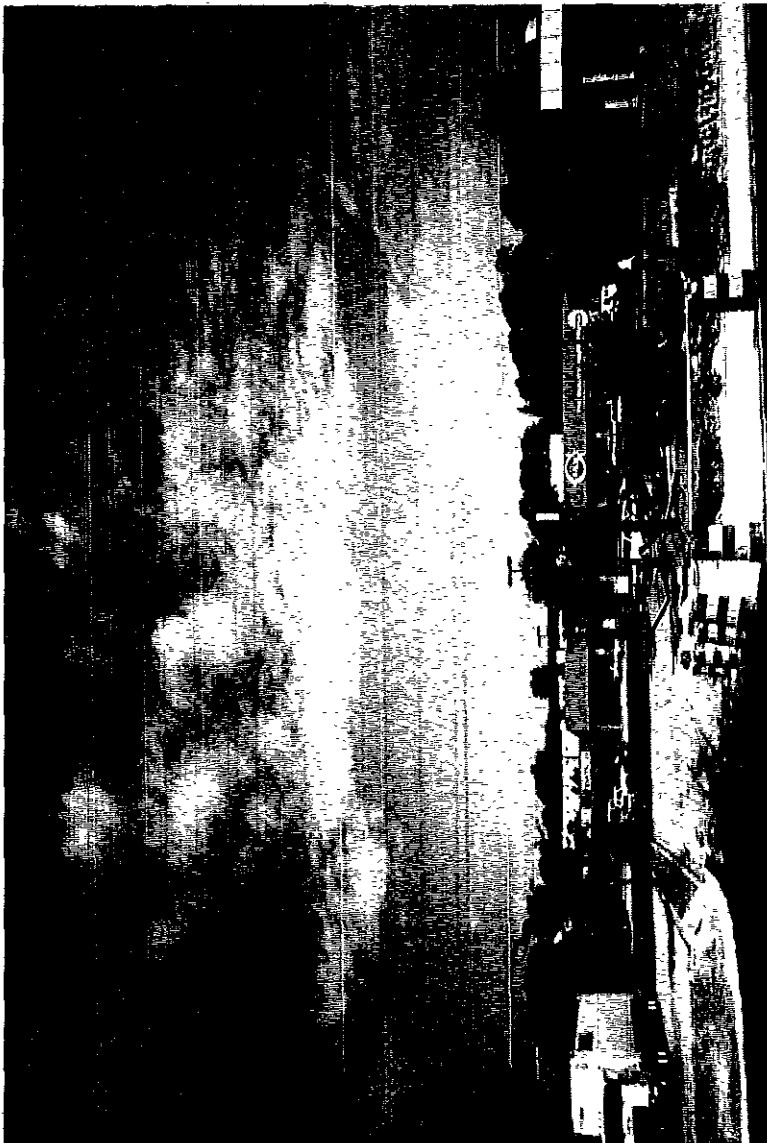
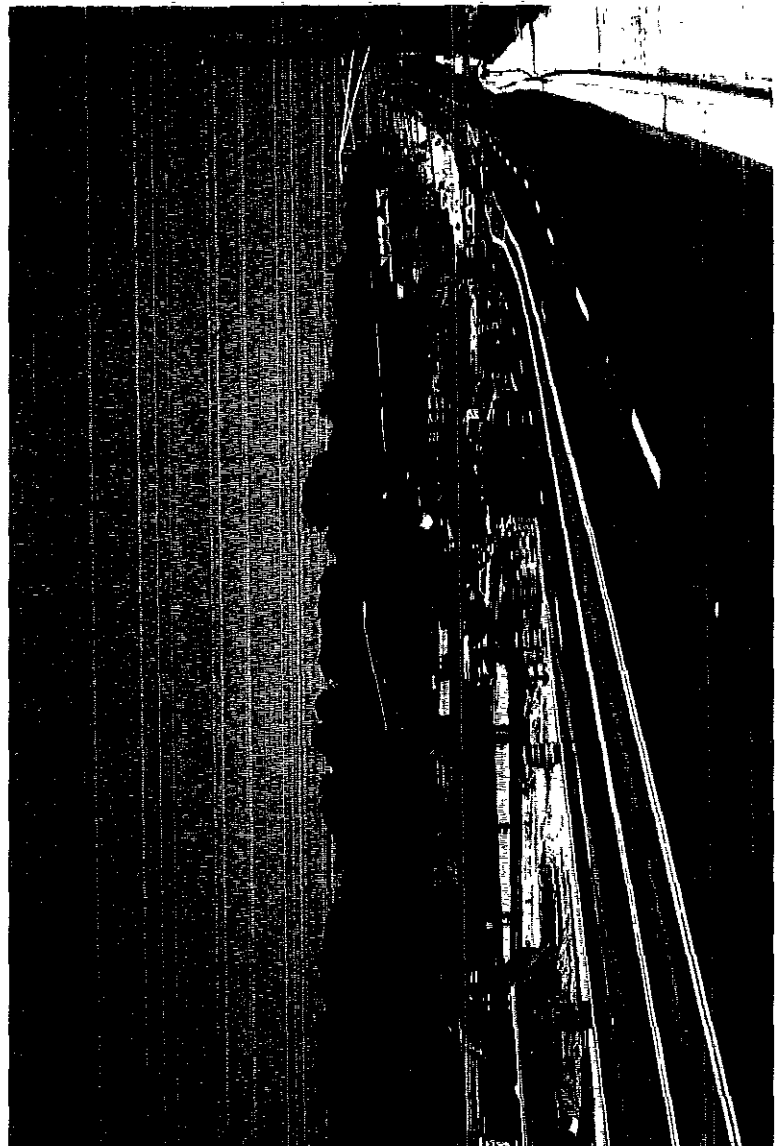


PETITIONER'S EXHIBITS 4C-F



PETITIONER'S EXHIBITS

4G-H. 5





a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial justice to an applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief to the owner of the property involved and be more consistent with that afforded other property owners; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

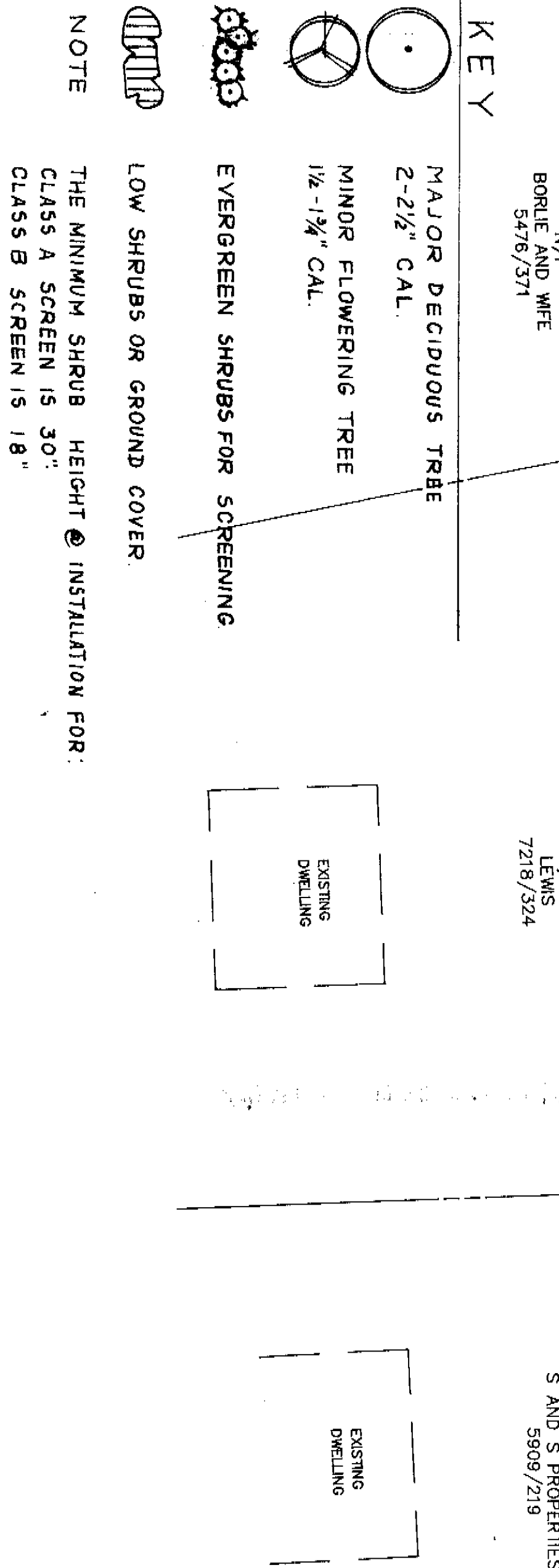
Anderson, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

ORDER RECEIVED FOR FILING

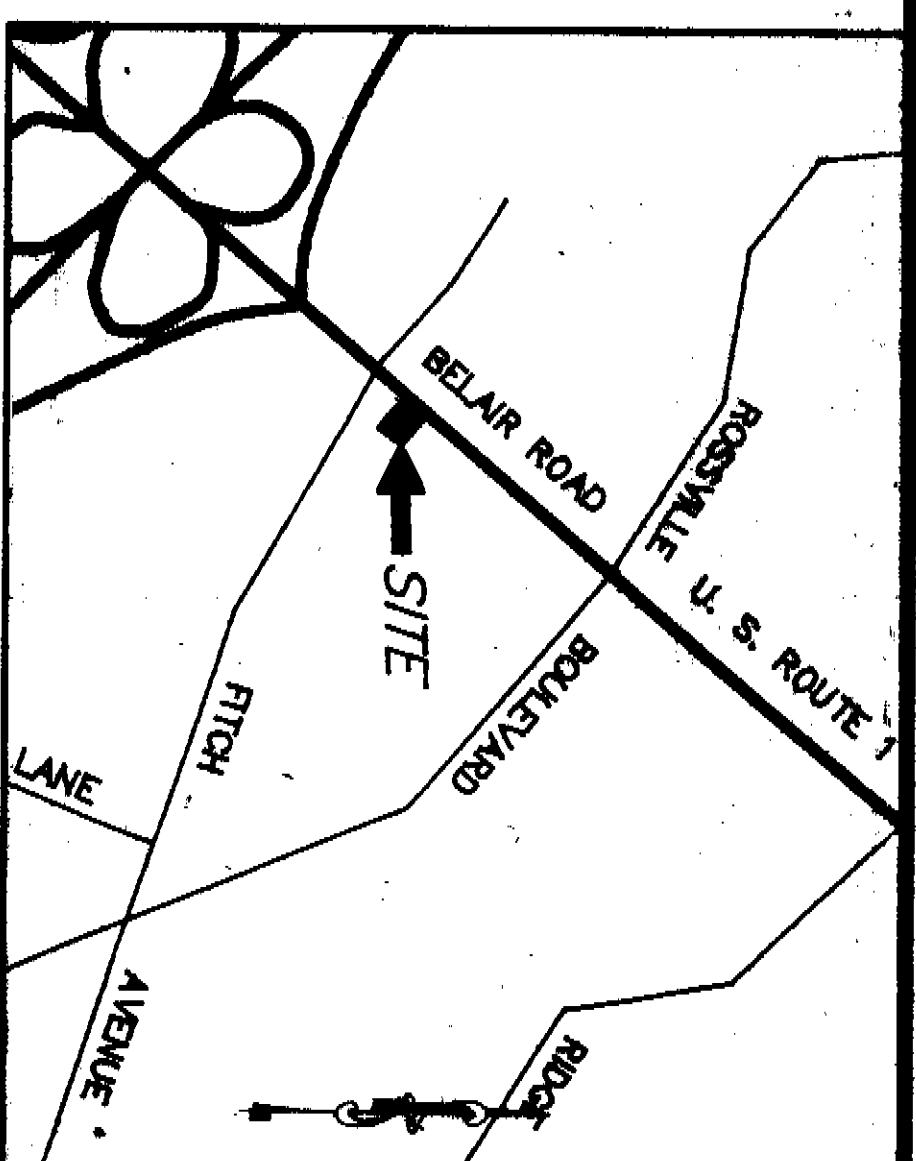
Date

By

(SRC RW PLAT #51871)



SCALE 1" = 1000'



**1. Owner:**

1. Owner: 7907-7909 Holbit Associates  
P.O. Box 21545  
Baltimore, Md. 21204-0541
- Applicant: McDonald's Corporation  
2850 Rockwood Blvd.  
Columbia, Md. 21045  
(410) 250-0000
2. Existing Building: No. Existing Shop No. NE-75
3. Existing Area: 1259 sq. ft. Existing Subject: One story
4. Parking Required: 15/1,000 sq. ft.; 25 spaces
5. Parking Provided: 25 spaces, including 2 handicap.
6. Average Daily Traffic: 764/1,000 sq. ft. = 1244 ADT/Day
7. There are no existing underground fuel and chemical storage tanks on site. There are existing fuel storage tanks on the adjacent automobile service station.
8. Existing Land uses within 200 ft. of the site consist of single family residential and commercial uses.
9. Proposed signs:  
40 sq. ft. Pole sign (double-sided); height - 25 ft.  
40 sq. ft. Freestanding (order board (single-sided)).
10. All paving will be durable and dustless surface.
11. Illumination: for off-street parking will not reflect into surrounding area.
12. ~~Proposed Building: 1150 sq. ft.~~  
~~100 sq. ft. NE-75~~  
~~7907-7909 sq. ft.~~  
~~P.M.N. - 0-03~~
13. ~~Variation: One proposed from location 400' E. of the main lot permit a 14-foot over any parking aisle in lieu of the required 12 feet; Sec. 400.12(1) of the Code to permit a drive-through lane to access the restaurant pedestrian access to the facility? Sec. 400.12(2) of the Code to permit a drive-through lane to access the required 12 feet; Sec. 400.10 (A) for 4 standing spaces behind the order board in lieu of the required 5 spaces; Sec. 401.2(7) of the Code to permit business signs totalling 144 square feet in lieu of the required 120 square feet; and Sec. 406.6(a)(1) of the Code to permit a 5-foot landscape buffer in lieu of the required 10 feet.~~
14.  ~~zoning Code No. 97-13-2, order dated June 23, 1989, and amended Order dated April 6, 1990 granted approval for an automobile service facility on this site. (See Annex 2 for text of zoning orders)~~


**MCDONALD'S RESTAURANT**  
7907 BELAIR ROAD  
**PLAN TO ACCOMPANY  
VARIANCE PETITION**

14TH ELECTION DISTRICT  
SCALE 1"=20'  
6TH COUNCIAMNC DISTRICT

BALTIMORE COUNTY, MARYLAND  
JUNE 21, 1995

**Colbert Matz Rosenfelt, Inc.**

3723 Old Court Road, Suite 2  
Baltimore, Maryland 21208  
Telephone: (410) 653-3838  
Facsimile: (410) 653-7953



|     |                         |            |    |       |      |
|-----|-------------------------|------------|----|-------|------|
|     | SCALE: 1"=20'           |            |    |       |      |
|     | DATE: JUNE 27, 1985     |            |    |       |      |
|     | JOB NO.: 9411-B         |            |    |       |      |
|     | DRAWN BY: [signature]   |            |    |       |      |
|     | CHECKED BY: [signature] |            |    |       |      |
|     | FILE:                   |            |    |       |      |
|     | DRAWING NUMBER:         |            |    |       |      |
|     | 9411B.CON.DWG           |            |    |       |      |
| NO. | DATE                    | REVISIONS: | BY | SHEET | OF 2 |

4-1767-95

**GILBERT MATZ ROSENFELD, INC.**

MICROFILMED











After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, with certain restrictions as more fully described below.

THE ORDER IS ORDERED, by the County Board of Appeals of Baltimore County, Maryland, that the special exception be granted, with the following restrictions, which are hereby GRANTED, subject, however, to the following restrictions, which are conditions precedent to the grant of the special exception:

1. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
2. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
3. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
4. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
5. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
6. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
7. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
8. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
9. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
10. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.

J. ROBERT HANES  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

It is therefore this 8th day of March, 1990, by the County Board of Appeals of Baltimore County, Maryland, that the special exception be granted, with the following restrictions, which are conditions precedent to the grant of the special exception:

1. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
2. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
3. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
4. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
5. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
6. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
7. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
8. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
9. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
10. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.

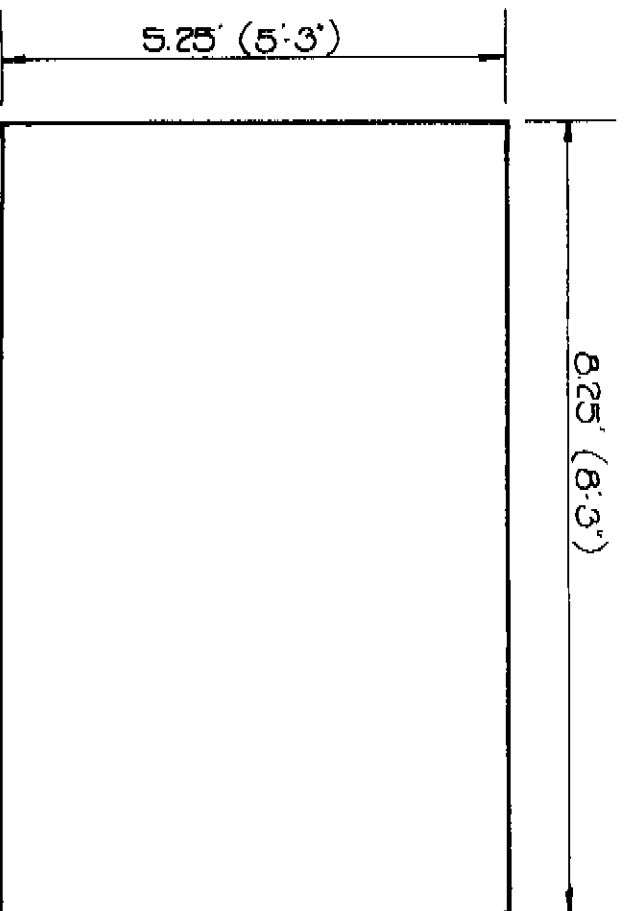
ARNOLD G. FREEMAN, Acting Chairman  
HENRY E. BUCHHEIMER, Jr.  
JOHN G. DIERNY

Upon consideration of the petition and the County Board of Appeals of Baltimore County, Maryland, that the special exception be granted, with the following restrictions, which are conditions precedent to the grant of the special exception:

1. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
2. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
3. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
4. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
5. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
6. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
7. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
8. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
9. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.
10. The proposed building shall be located on the northern or eastern side of the subject property, as shown on the subject map.

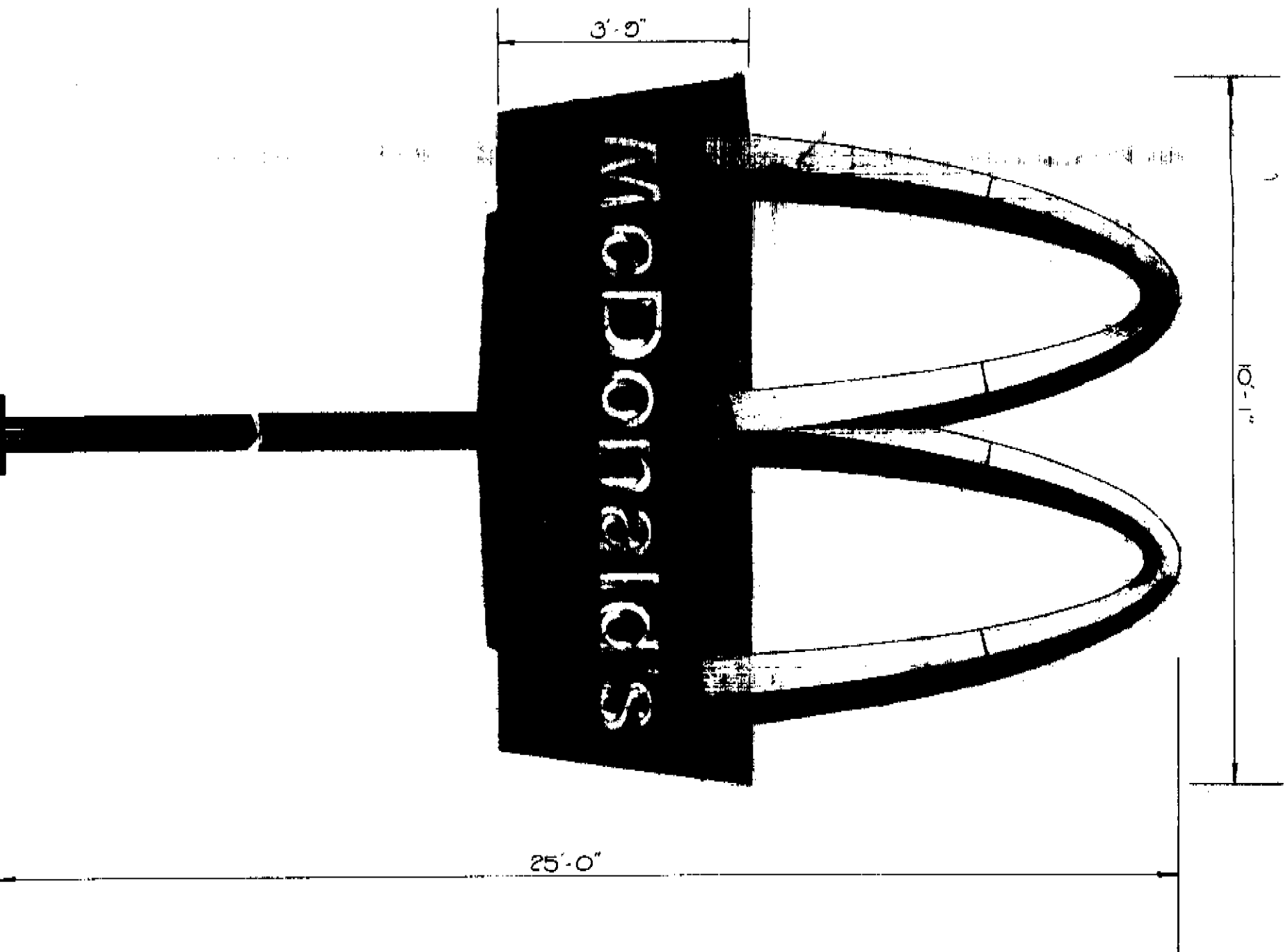
Commented to:  
S. Eric Dierney  
Chairman for Petitioner  
John G. Dierney  
Chairman for Petitioner

ARNOLD G. FREEMAN,  
Acting Chairman  
HENRY E. BUCHHEIMER, Jr.  
JOHN G. DIERNY



PROPOSED GROUND-MOUNTED  
ORDER - BOARD

SCALE: 1"=2'



PROPOSED POLE SIGN

NOT TO SCALE

Z.A.B.M. #XIV-231

MCDONALD'S RESTAURANT  
7907 BELAIR ROAD  
PLAN TO ACCOMPANY  
VARIANCE PETITION  
BALTIMORE COUNTY, MARYLAND  
JUNE 21, 1995

Colbert Matz Rosenfelt, Inc.  
Engineers • Surveyors • Planners  
3723 Old Court Road, Suite 206  
Baltimore, Maryland 21208  
Telephone: (410) 653-3838  
Facsimile: (410) 653-7953



| NO. | DATE | REVISIONS | BY | SHEET | 2 | OF | 2 |
|-----|------|-----------|----|-------|---|----|---|
| 1   |      |           |    |       |   |    |   |
| 2   |      |           |    |       |   |    |   |
| 3   |      |           |    |       |   |    |   |
| 4   |      |           |    |       |   |    |   |
| 5   |      |           |    |       |   |    |   |
| 6   |      |           |    |       |   |    |   |
| 7   |      |           |    |       |   |    |   |
| 8   |      |           |    |       |   |    |   |
| 9   |      |           |    |       |   |    |   |
| 10  |      |           |    |       |   |    |   |



IN RE: PETITION FOR VARIANCE \* BEFORE THE  
SE/S Belair Road, 206' NE of \* DEPUTY ZONING COMMISSIONER  
the c/l of Fitch Avenue  
(7907-7909 Belair Road) \* OF BALTIMORE COUNTY  
14th Election District  
6th Councilmanic District \* Case No. 95-494-A  
7907-7909 Belair Associates, Inc.  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 7907-7909 Belair Road, located in the vicinity of Fitch Avenue in Fullerton. The Petition was filed by the owners of the property, 7907-7909 Belair Associates, Inc., by Alvin Miller, President, and the Contract Purchaser/Lessee, McDonald's Corporation, by Jeff Bartko, through their attorney, Stanley Fine, Esquire. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.4 to permit a one-way parking aisle width of 14 feet in lieu of the required 16 feet; from Section 409.10(B) to permit a drive-through lane to cross the principal pedestrian access to the facility; from Section 409.4(A) to permit a one-way drive aisle width of 10 feet in lieu of the required 12 feet; from Section 409.4(B) for parking off the driveway in lieu of the required aisle; from Section 409.10(A) to permit four (4) stacking spaces behind the Order Board in lieu of the required 5 spaces; from Section 409.8(A)(1) to permit a landscape buffer of 5 feet in lieu of the required 10 feet; and, from Section 413.2(F) to permit business signs totalling 144 sq.ft. in lieu of the maximum permitted 100 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

ORDER RECEIVED FOR FILING  
Date 8/2/95  
By [Signature]

Appearing on behalf of the Petition were Jeffrey J. Bartko and Rick Reichenbach, representatives of McDonald's Corporation, Contract Lessee, Robert S. Rosenfelt and Kenneth J. Colbert, Professional Engineers with Colbert. Matz, Rosenfelt, Inc., who prepared the site plan for this project, and Stanley S. Fine, Esquire, attorney for the Petitioners. Also appearing on behalf of the Petition were E. D. Lewis, Stan Borlie and Frank Pilarski, nearby residents of the area. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 26,850 sq.ft., zoned B.L., and is presently improved with two dwellings, both of which have been vacant and boarded up since the 1980s. The Petitioners are desirous of developing the site with a McDonald's fast food restaurant in accordance with Petitioner's Exhibit 1. Due to the size and shape of the lot and its location along this busy stretch of Belair Road, the requested variances are necessary. As is customary with other McDonald's developments, the subject site will be attractively laid out and landscaped. Testimony indicated that McDonald's has met with adjoining property owners and have received their full support of the proposed project.

The B.C.Z.R., specifically Section 307.1, established a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are

ORDER RECEIVED FOR FILING  
Date 8/2/95  
By [Signature]

- 2 -

to be placed (or uses conducted) is -- in and of itself-- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.) have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for

ORDER RECEIVED FOR FILING  
Date 8/2/95  
By [Signature]

- 3 -

a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial justice to an applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief to the owner of the property involved and be more consistent with that afforded other property owners; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

ORDER RECEIVED FOR FILING  
Date 8/2/95  
By [Signature]

- 4 -

I find from the testimony and evidence presented at the hearing before me that the Applicants have in fact proven the practical difficulty standards as set forth above and that the variance requested should be granted. I further find that the granting of this variance is in strict harmony with the spirit and intent of the B.C.Z.R. and that the granting of this relief is accomplished without injury to the public health, safety or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7<sup>th</sup> day of August, 1995 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.4 to permit a one-way parking aisle width of 14 feet in lieu of the required 16 feet; from Section 409.10(B) to permit a drive-through lane to cross the principal pedestrian access to the facility; from Section 409.4(A) to permit a one-way drive aisle width of 10 feet in lieu of the required 12 feet; from Section 409.4(B) for parking off the driveway in lieu of the required aisle; from Section 409.10(A) to permit four (4) stacking spaces behind the Order Board in lieu of the required 5 spaces; from Section 409.8(A)(1) to permit a landscape buffer of 5 feet in lieu of the required 10 feet; and, from Section 413.2(F) to permit business signs totalling 144 sq.ft. in lieu of the maximum permitted 100 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

ORDER RECEIVED FOR FILING  
Date 8/2/95  
By [Signature]

- 5 -

- time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with all Zoning Plans Advisory Committee (ZAC) comments submitted and incorporated into the case file.
- 3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this order.

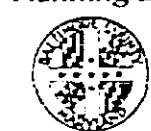
TMK:bjs

Timothy M. Kotroco  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 8/2/95  
By [Signature]

- 6 -

#### Baltimore County Government Zoning Commissioner Office of Planning and Zoning



August 7, 1995

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

Stanley S. Fine, Esquire  
20 S. Charles Street  
Baltimore, Maryland 21201

RE: PETITION FOR VARIANCE  
SE/S Belair Road, 206' NE of the c/l of Fitch Avenue  
(7907-7909 Belair Road)  
14th Election District - 6th Councilmanic District  
7907-7909 Belair Associates, Inc. - Petitioners  
Case No. 95-494-A

Dear Mr. Fine:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 987-3391.

Very truly yours,

Timothy M. Kotroco

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

cc: Mr. Alvin Miller, President, 7907-7909 Belair Assoc., Inc.  
P.O. Box 21545, Baltimore, Md. 21208-0541

Mr. Jeffrey Bartko, McDonald's Corporation  
8850 Stanford Boulevard, Columbia, Md. 21045

Mr. Robert S. Rosenfelt, Mr. Kenneth J. Colbert, and Ms. Judith Floam  
Colbert, Matz, Rosenfelt, Inc., 3723 Old Court Road, Suite 206,  
Baltimore, Md. 21208

Mr. E. D. Lewis, 7904 St. Mary's Drive, Baltimore, Md. 21236  
Mr. Stan Borlie, 4210 Fitch Avenue, Baltimore, Md. 21236  
Mr. Frank Pilarski, 7911 Belair Road, Baltimore, Md. 21236

People's Counsel; Case File

## Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7907-09 BELAIR ROAD

which is presently zoned B.L.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED SHEET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) SHAPE AND SIZE OF THE LOT DOES NOT PERMIT 16 FOOT PARKING AISLES, A 12 FOOT DRIVE-THROUGH LANE, SEPARATE DRIVE AISLES, 5 STACKING SPACES BEHIND THE ORDER BOARD OR A 10 FOOT LANDSCAPE BUFFER ALONG THE NORTH SIDE. ADDITIONAL SIGN AREA IS REQUIRED FOR MENU BOARD.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner

JEFF BARTKO

McDONALD'S CORPORATION

(Type or Print Name)

Signature

8850 STANFORD BLVD.

COLUMBIA MD 21045

City State Zipcode

Signature for Petitioner

STANLEY FINE, ESQ.

(Type or Print Name)

Signature

20 S. CHARLES ST. 410-539-6967

BALTIMORE MD 21201

City State Zipcode

Signature

P.O. BOX 21545

BALTIMORE MD 21208-0541

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative

JUDITH FLOAM

COLBERT MATZ ROSENFELT, INC.

9723 OLD COURT ROAD, STE. 206

BALTIMORE, MD 21208 410-613-3838

City State Zipcode

Legal Owner(s)

ALVIN MILLER, PRESIDENT

7907-09 BELAIR ASSOCIATES, INC.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

P.O. BOX 21545

BALTIMORE MD 21208-0541

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative

JUDITH FLOAM

COLBERT MATZ ROSENFELT, INC.

9723 OLD COURT ROAD, STE. 206

BALTIMORE, MD 21208 410-613-3838

City State Zipcode

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

95-494-A

409.4 TO PERMIT A 14 FOOT ONE-WAY PARKING AISLE IN LIEU OF THE REQUIRED 16 FEET; SEC. 409.10(B) TO PERMIT A DRIVE-THROUGH LANE TO CROSS THE PRINCIPAL PEDESTRIAN ACCESS TO THE FACILITY; SEC. 409.4(A) TO PERMIT A 10 FOOT ONE-WAY DRIVE AISLE IN LIEU OF THE REQUIRED 12 FEET; SEC. 409.4(B) FOR PARKING OFF THE DRIVEWAY IN LIEU OF THE REQUIRED AISLE; SEC. 409.10(A) FOR 4 STACKING SPACES BEHIND THE ORDER BOARD IN LIEU OF 5 SPACES; SEC. 409.8(A) (1) TO PERMIT A 5 FOOT LANDSCAPE BUFFER IN LIEU OF THE REQUIRED 10 FEET AND 413.2(F) TO PERMIT BUSINESS SIGNS TOTALLING 144 SQUARE FEET IN LIEU OF THE REQUIRED 100 SQUARE FEET.

## Colbert Matz Rosenfelt, Inc.

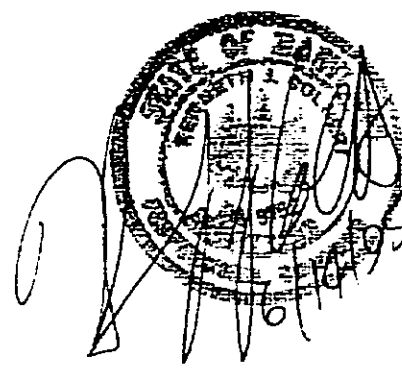
Civil Engineers • Surveyors • Planners

ZONING DESCRIPTION  
MCDONALD'S RESTAURANT  
7907 BELAIR ROAD

BEGINNING AT A POINT ON THE SOUTHEAST SIDE OF BELAIR ROAD (U.S. ROUTE 1) AS NOW WIDENED AND SHOWN ON MARYLAND SRC RIGHT-OF-WAY PLAT NO. 51871; 206 FEET, MORE OR LESS, FROM THE CENTERLINE OF FITCH AVENUE; THENCE RUNNING NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE OF BELAIR ROAD BY A CURVE TO THE LEFT HAVING A RADIUS OF 11511.16 FEET, A LENGTH OF 150.01 FEET AND A CHORD BEARING NORTH 39 DEGREES 44 MINUTES 22 SECONDS EAST 150.01 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING SOUTH 49 DEGREES 38 MINUTES 17 SECONDS EAST 177.08; THENCE SOUTH 38 DEGREES 12 MINUTES 04 SECONDS WEST 150.11 FEET; THENCE NORTH 49 DEGREES 38 MINUTES 17 SECONDS WEST 181.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 26,840 SQUARE FEET OR 0.6162 ACRES OF LAND, MORE OR LESS.

J:\COL\DESC\94116.WPF



3723 Old Court Road, Suite 206 Baltimore, Maryland 21208  
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
TOWSON, Maryland

District: 14th  
Posted for: Various  
Petitioner: M. David's Corp.  
Location of property: 7907-09 Belair Rd. SEF  
Location of Sign: Facing driveway, on property being zoned  
Remarks: M. David's Corp.  
Posted by: M. David's Corp.  
Number of Signs: 1  
Date of return: 7/15/95

## CERTIFICATE OF PUBLICATION

TOWSON, MD., July 14, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 13, 1995.

THE JEFFERSONIAN,

A. H. Harrison  
LEGAL AD. - 1045/95

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: 95-494-A (Item 486)  
7907-09 Belair Road  
SE/S Belair Road, 206' NE of c/l Fitch Avenue  
14th Election District - 6th Councilmanic  
Legal Owner(s): MCDONALD'S CORPORATION  
Contract Purchaser(s): MCDONALD'S CORPORATION  
Hearing: Monday, August 7, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; to permit a drive-through lane to cross the principal pedestrian access to the facility; to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; for parking off the driveway in lieu of the required 10 feet; for 4 stacking spaces behind the order board in lieu of 5 spaces; to permit a 5-foot landscape buffer in lieu of the required 10 feet; and to permit business signs totalling 144 square feet in lieu of the required 100 square feet.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.  
(2) Offer information concerning the file and/or hearing, please call 887-3353.  
7/13/95 July 13.

Baltimore County Government  
Office of Zoning Administration  
and Development Management111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

## ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

## PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Case No.: \_\_\_\_\_ Item No.: 486

Petitioner: M. David's Corp.

LOCATION: 7907-09 Belair Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Stanley Fine, Esq.

ADDRESS: 20 S. Charles St.

Baltimore, MD 21201

PHONE NUMBER: 410-538-6947

Aljgs  
(Revised 3/29/93)

TO: PETITIONER PUBLISHING COMPANY  
July 13, 1995 Issue - Jeffersonian

Please forward billing to:  
Stanley Fine, Esq.  
20 S. Charles Street  
Baltimore, MD 21201  
538-6907

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-494-A (Item 486)  
7907-09 Belair Road  
SE/S Belair Road, 206' NE of c/l Fitch Avenue  
14th Election District - 6th Councilmanic  
Legal Owner(s): 79-7-09 Belair Associates, Inc.  
Contract Purchaser(s): McDonald's Corporation  
Hearing: MONDAY, AUGUST 7, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; to permit a drive-through lane to cross the principal pedestrian access to the facility; to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; for parking off the driveway in lieu of the required 10 feet; for 4 stacking spaces behind the order board in lieu of 5 spaces; to permit a 5-foot landscape buffer in lieu of the required 10 feet; and to permit business signs totalling 144 square feet in lieu of the required 100 square feet.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-494-A (Item 486)  
7907-09 Belair Road  
SE/S Belair Road, 206' NE of c/l Fitch Avenue  
14th Election District - 6th Councilmanic  
Legal Owner(s): 79-7-09 Belair Associates, Inc.  
Contract Purchaser(s): McDonald's Corporation  
Hearing: MONDAY, AUGUST 7, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; to permit a drive-through lane to cross the principal pedestrian access to the facility; to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; for parking off the driveway in lieu of the required 10 feet; for 4 stacking spaces behind the order board in lieu of 5 spaces; to permit a 5-foot landscape buffer in lieu of the required 10 feet; and to permit business signs totalling 144 square feet in lieu of the required 100 square feet.

Arnold Jablon  
Director  
Department of Permits and Development Management

cc: 7907-09 Belair Associates, Inc.  
Judith Floss/Colbert Matz Rosenfelt, Inc.  
McDonald's Corporation/Jeff Bartko  
Stanley Fine, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 31, 1995

Stanley Fine, Esquire  
20 S. Charles Street  
Baltimore, Maryland 21201

RE: Item No.: 486  
Case No.: 95-494-A  
Petitioner: Belair Associates

Dear Mr. Fine:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 26, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)





Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

July 25, 1995

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Baltimore County  
US 1  
McDonald's Restaurant  
South east side  
7907 Belair Road  
Variance Request  
Item #486 (MJK)  
Mile Post 17.20

Dear Ms. Watson:

This letter is in response to your request for our review of the plan for the referenced item.

In our previous review of a concept plan for the subject development, and in our letter dated May 25th to Mr. Donald Rascoe, Development Manager, we indicated that the proposed entrance improvements onto US 1 were generally acceptable to the State Highway Administration (SHA).

However, the subject development is located within the construction limits of the SHA's US 1 reconstruction and widening project B-818-504-471, tentatively scheduled to be completed in October of 1995. Included in this project is the construction of a concrete median within US 1 along the entire frontage of the subject property. This median will restrict both left-turns into the site from southbound US 1 and left-turns out of this site to northbound US 1. With this in mind, the SHA would not support a median break for the proposed development since it would not meet the SHA's minimum median break spacing standards of 750'.

In addition, since the date of our May 1995 letter, it has come to our attention that there is an existing drainage problem along US 1, just west of the subject property.

410-333-1350 (Fax# 333-1041)

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Ms. Joyce Watson  
Page Two  
July 25, 1995

Therefore, although the proposed grades indicated on the plan should allow on-site drainage to occur away from US 1, we will require the developer to submit an inlet spacing analysis along the property frontage of US 1 for our review in order to determine what impact if any, the proposed entrance construction may have on existing drainage conditions on US 1.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

- Nine (9) copies of the site plan showing the SHA requirements.
- Completed application.
- Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Ms. Joyce Watson  
Page Three  
July 25, 1995

Therefore, we have no objection to approval of the referenced variance request, subject to our aforementioned comments. Should you have any questions, or require additional information, please contact Bob Small at 410-333-1350. Thank you for the opportunity to review this plan.

Very truly yours,

*Ronald Burns*  
Ronal Burns, Chief  
Engineering Access Permits  
Division

BS/es

cc: Mr. Brian Dolan w/att.  
Mr. Bowden Ward w/att.

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/13/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: 7907-09 BELAIR ASSOCIATES INC.

LOCATION: SE/S BELAIR RD, 206' NE OF CENTERLINE FITCH AVE.  
(7907-09 BELAIR RD.)

Item No.: 486 Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

By mail or by fax

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZACM  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 7/10/95

DATE: 7/18/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 478  
479  
480  
481  
482  
483  
484  
485  
486  
487  
489  
490  
491  
494  
496  
revised 467

LS:sp

LETTYZ/DEPRM/TXTSP

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM  
FROM: Pat Keller, Director, OPZ  
SUBJECT: 7907-09 Belair Road

DATE: July 31, 1995

INFORMATION:

Item Number: 486  
Petitioner: 7907-09 Belair Associates  
Property Size:  
Zoning: BL  
Requested Action: Variance  
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The petitioner has requested variances to permit width reductions of the one way parking aisle and the drive-through lane collectively reducing the driveway width by four feet. The overall distance between the edge of the curbing next to the McDonalds and the landscape strip has remained the same. The resulting distance between the drive-through lane and the diagonal parking spaces may not provide enough space for cars parked in the diagonal spaces to back up. Since, however, the applicant is confident that the reduced widths from the County standards are adequate, staff will support this shift in width based on the condition that no future variances are applied for to reduce the width of the landscape areas shown on the development plan which are located along the perimeter. The petitioner needs to demonstrate the efficiency of the proposed internal circulation pattern to the satisfaction of the Zoning Commissioner to assure that this arrangement will indeed work. In addition, parking stops shall be placed to protect the planted areas from overlapping car bumpers.

The Office of Planning supports the landscape variance from 10' to 5' along the side yard based on the following conditions:

- A solid evergreen tree buffer should be planted (species to be approved by the County Landscape Architect) and a solid 5' high wood fence should be installed along the length of the side yard and rear property line.
- The planting area shown on the plan located along the south side of the property should be planted with the equivalent number of planting units equal to a class A screening calculated for the length of the side yard. The planting should provide a hedge and a row of major trees.

ITEM486/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management  
FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review Division  
RE: Zoning Advisory Committee Meeting  
for July 17, 1995  
Item No. 496

The Development Plans Review Division has reviewed the subject zoning item. This office supports the variance request to permit a 5-foot landscape buffer in lieu of the required 10 feet.

RWB:aw

- The landscape plan should incorporate tree plantings as shown on the attached sketch as provided to Avery Harden by the Office of Planning.
- A landscape plan should be provided for the interior landscaping of the planting areas surrounding the restaurant. This planting should include flowering trees in front and a large canopy tree in the back.
- All trees along Belair Road should be major deciduous trees.

Prepared by: *Robert W. Bowling*

Division Chief: *Robert W. Bowling*  
PK/JL

ITEM486/PZONE/ZAC1



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Lawrence E. Schmidt DATE: August 7, 1995  
Zoning Commissioner

FROM: Jeffrey Long  
Office of Planning

SUBJECT: 7907-09 Belair Rd.

Please be advised that our comment of July 31, 1995 contained a typographic error. The second paragraph should read as follows: The Office of Planning supports the landscape variance from 10' to 5' along the side yard based on the following conditions:

MAC1/PZONE/TXTJWL

PETITION PROBLEMS  
AGENDA OF JULY 10, 1995

#479 — CAM

1. No review information on bottom of petition form.

#485 — JJS

1. Only one legal owner signature — need signature of Kang.
2. Need original signature for lessee.

#486 — MJK

1. Petitioner was not given copy of receipt (still in folder).
2. Need telephone number for legal owner.
3. Need title of person signing for contract purchaser.

#488 — RT

1. Need typed or printed name and title of person signing for contract purchaser.

#489 — JRA

1. Need title of person signing for legal owner.

#493 — JRA

1. Need telephone number for legal owner.
2. Need address for legal owner.
3. Need telephone number for attorney.

#494 — JRA

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

#495 — JJS

1. Notary public section is incomplete.

#496 — JJS

1. No original signatures on petitions.

RE: PETITION FOR VARIANCE \* BEFORE THE  
7907-09 Belair Road, SE/S Belair Road, \* ZONING COMMISSIONER  
206' NE of c/l Fitch Avenue, 14th \*  
Election District — 6th Councilmanic \* OF BALTIMORE COUNTY  
Legal Owner: 7907-09 Belair Assoc., Inc. \* CASE NO. 95-494-A  
Contract Purchaser(s): McDonald's Corp. \*  
Petitioners \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Stanley Fine, Esquire, 20 S. Charles Street, Baltimore, MD 21201, attorney for Petitioners.

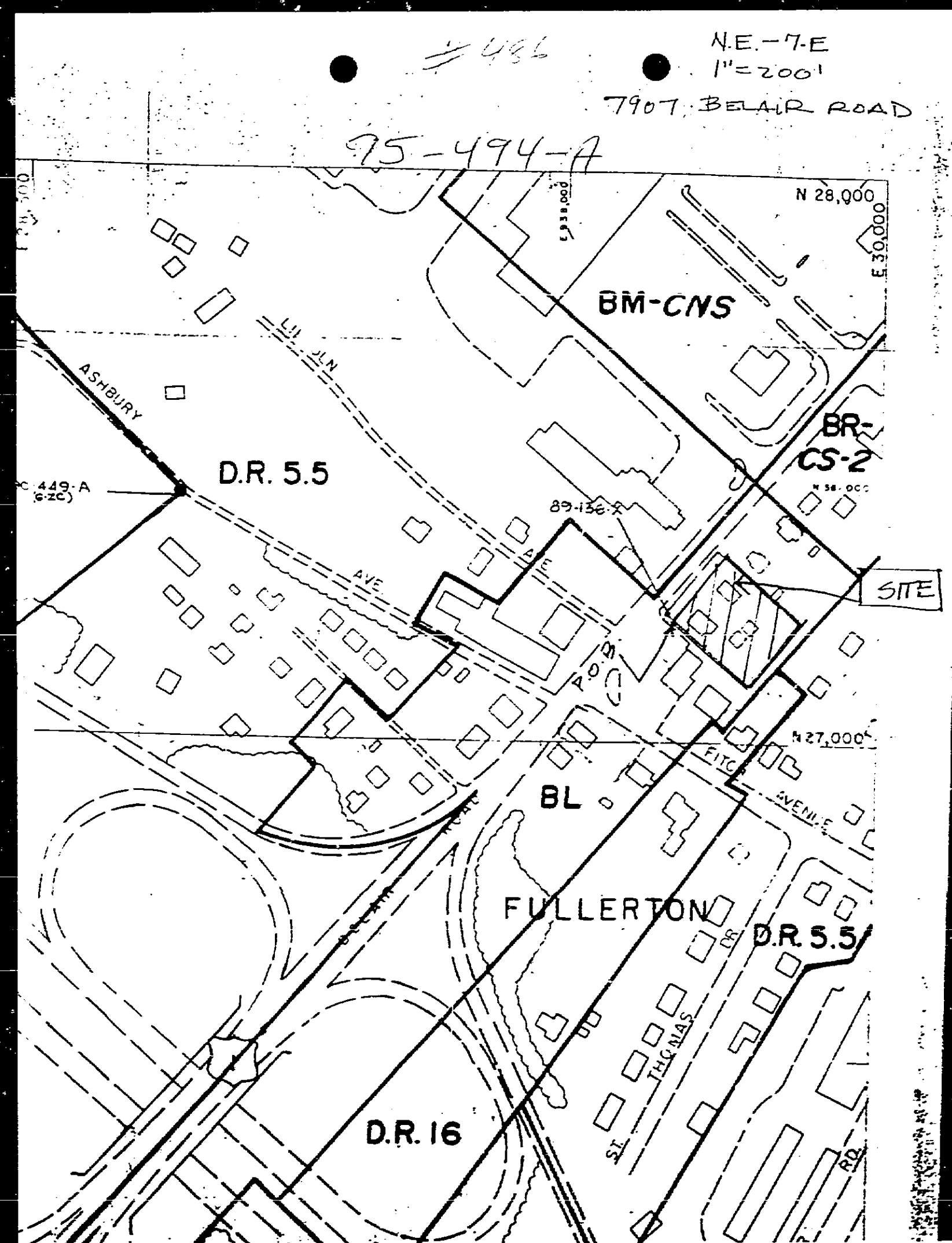
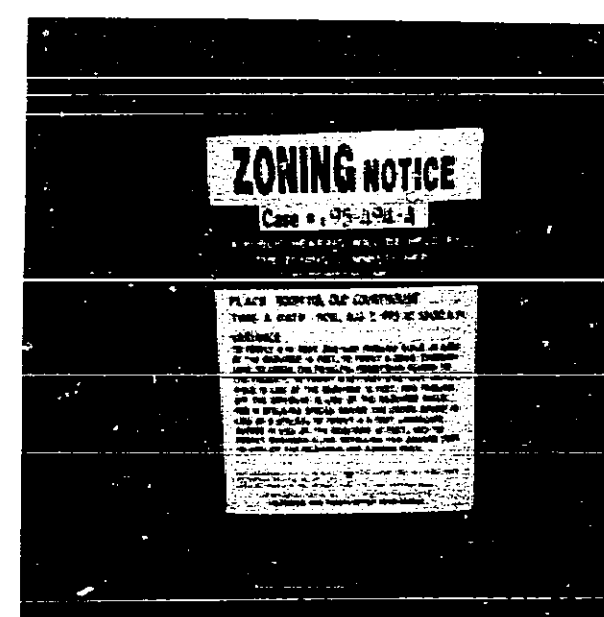
*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

| NAME                    | ADDRESS                          |
|-------------------------|----------------------------------|
| STANLEY S. FINE         | 20 S. CHARLES ST - 21201         |
| Robert S. Rosenfeld, PE | Belmont Park & Recreation, Inc.  |
| KENNETH J. GOLDBERT, PE | 3723 OLD CH. RD. SUITE 206 21208 |
| RICK REICHENBACH        | 11                               |
| Jeffrey J. Bartko       | Midway 3388                      |
| B.D. Lewis              | 8850 BRIMFIELD BLVD SUITE 2000   |
| STAN BOALIE             | Columbia MD 21045                |
| FRANK PILARSKI          | 7704 St Mary Dr. 21236           |
|                         | 4210 FITCH AVE. 21236            |
|                         | 7911 BELAIR RD. 21236            |

95-494-A



To: Deputy Zoning Commissioner Timothy Kottro 8/4/95

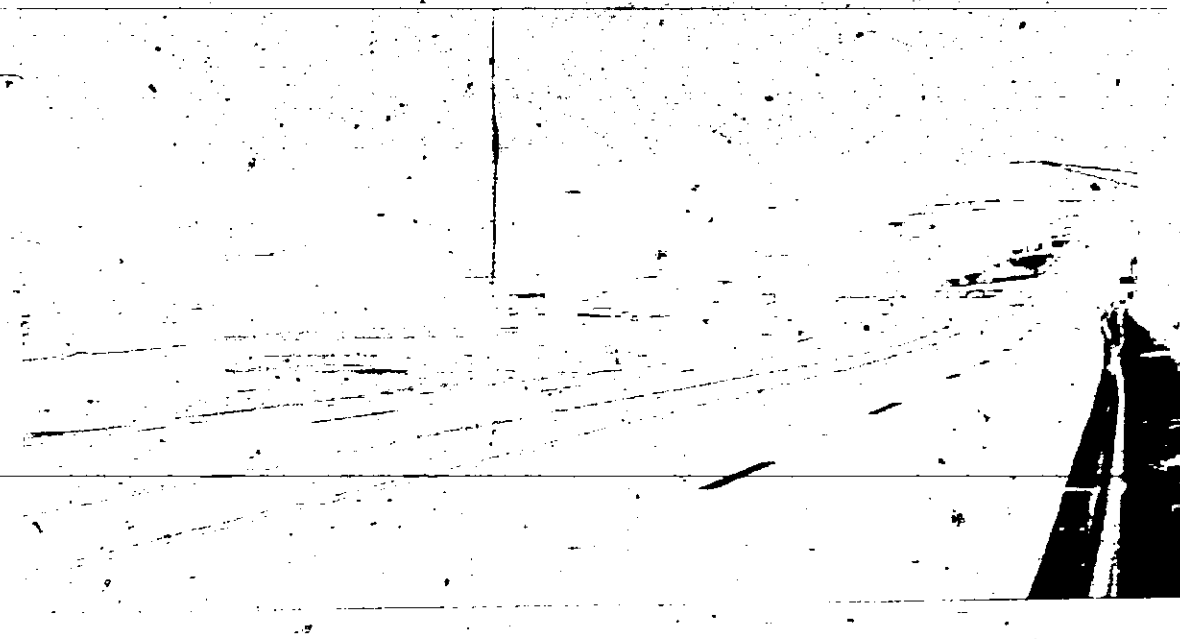
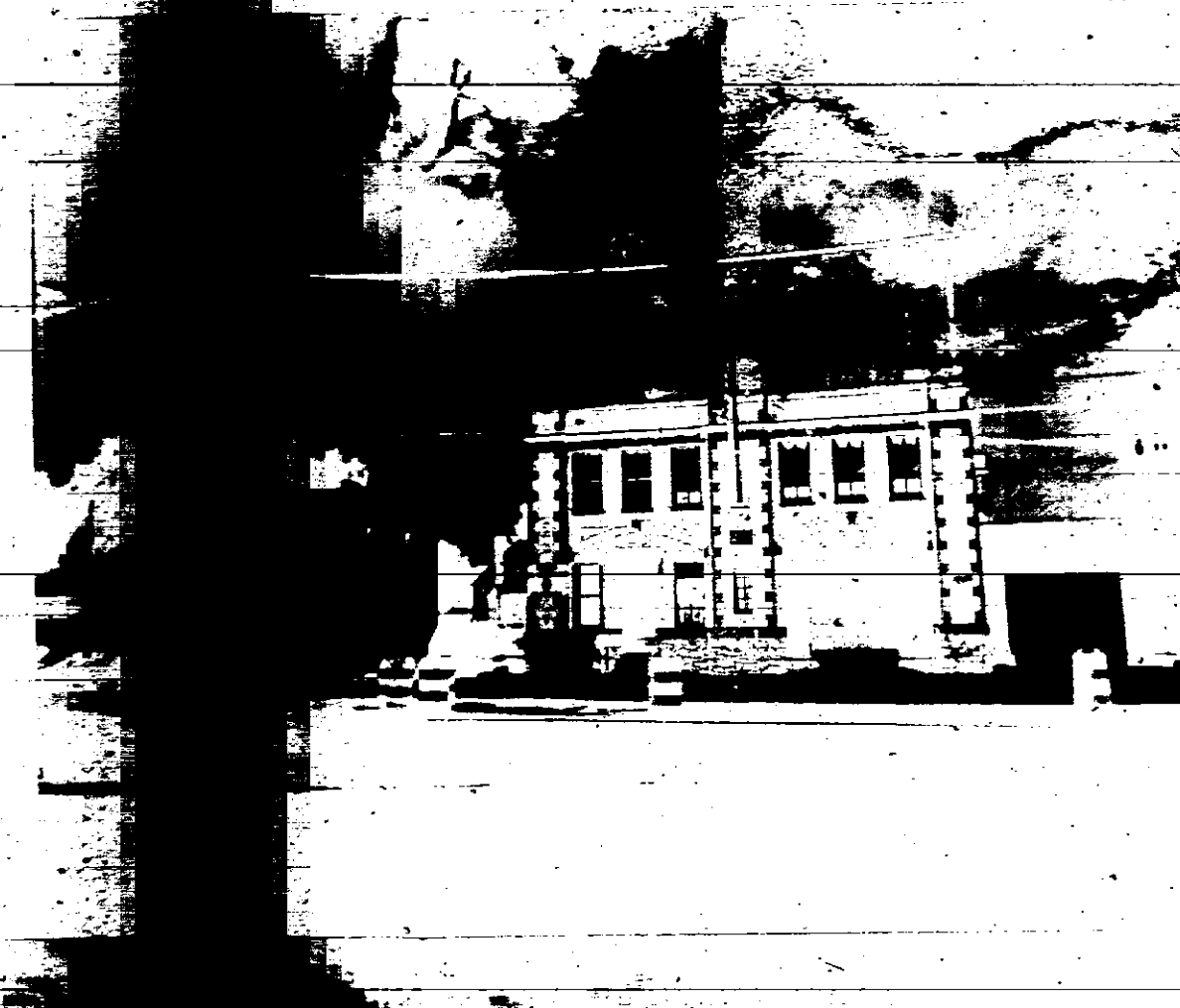
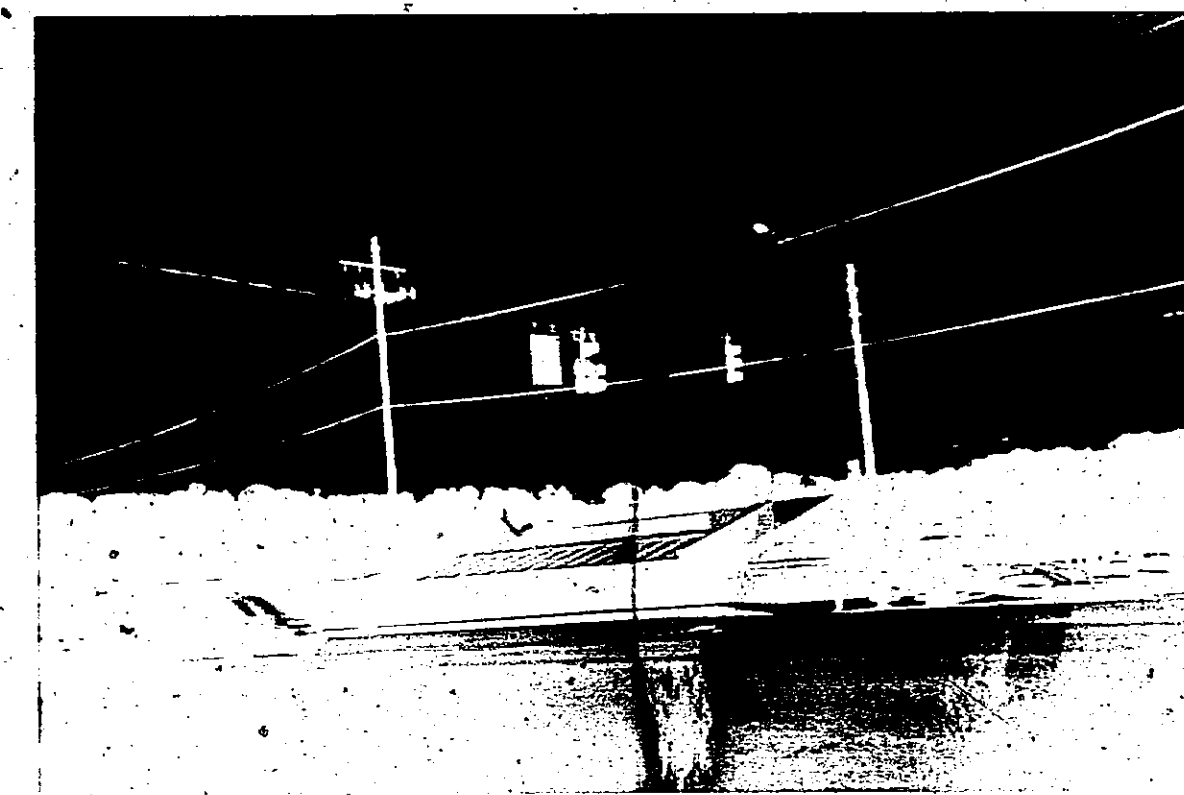
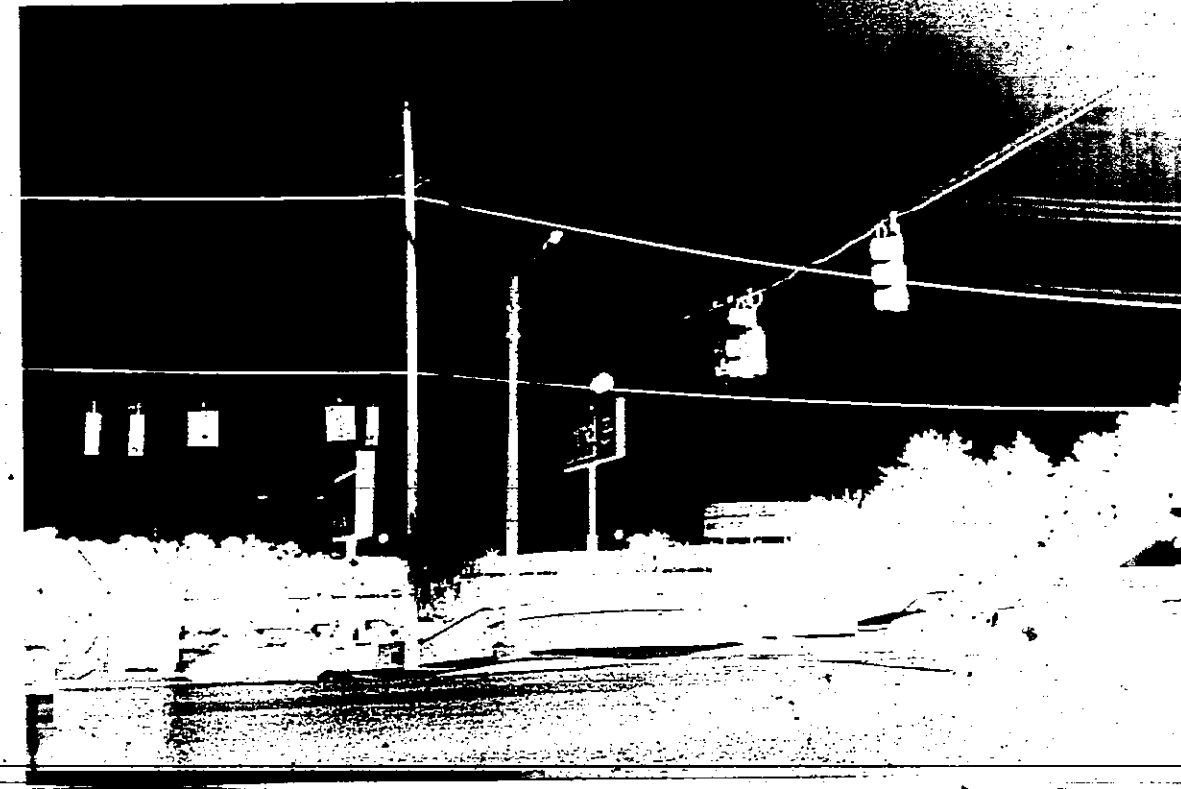
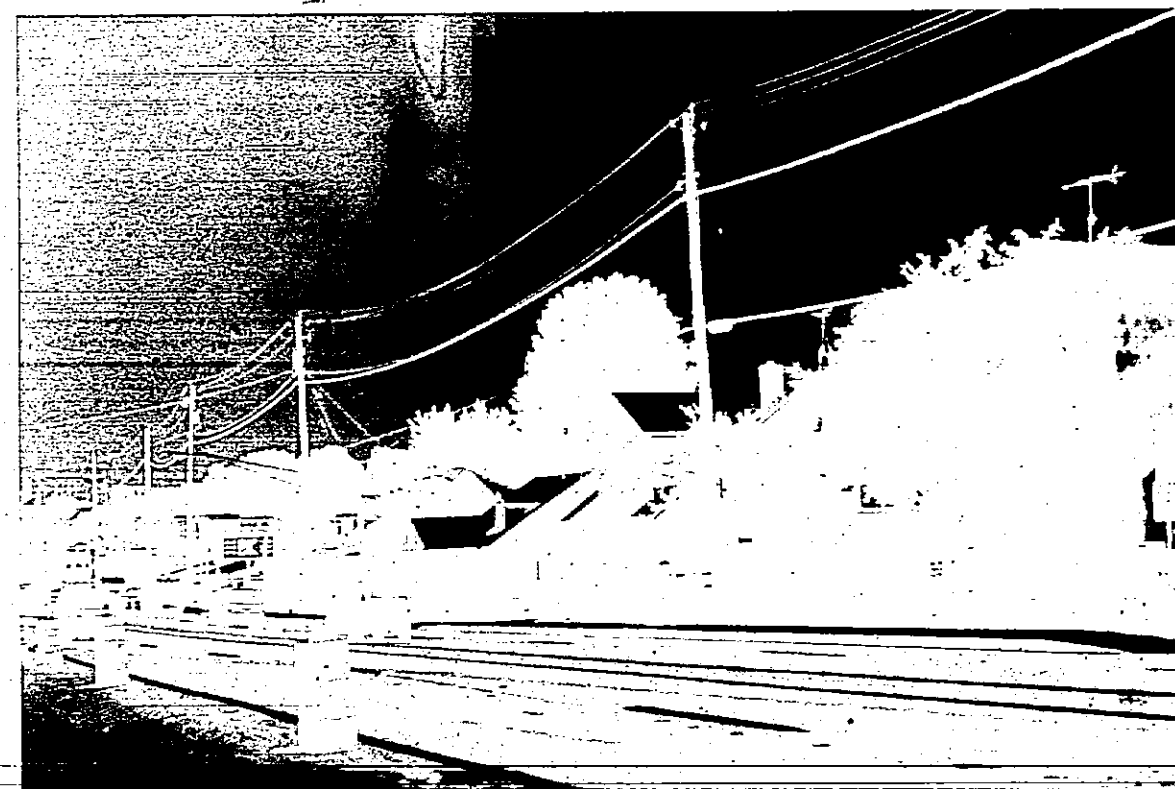
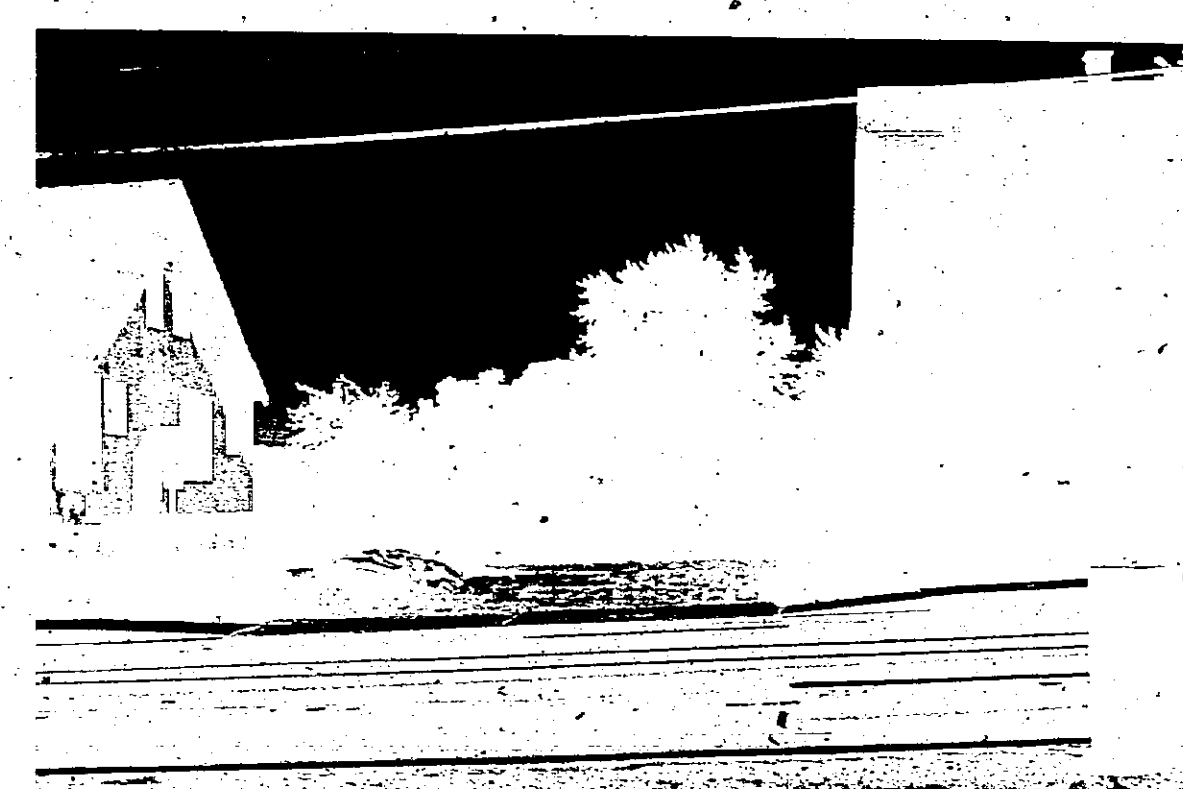
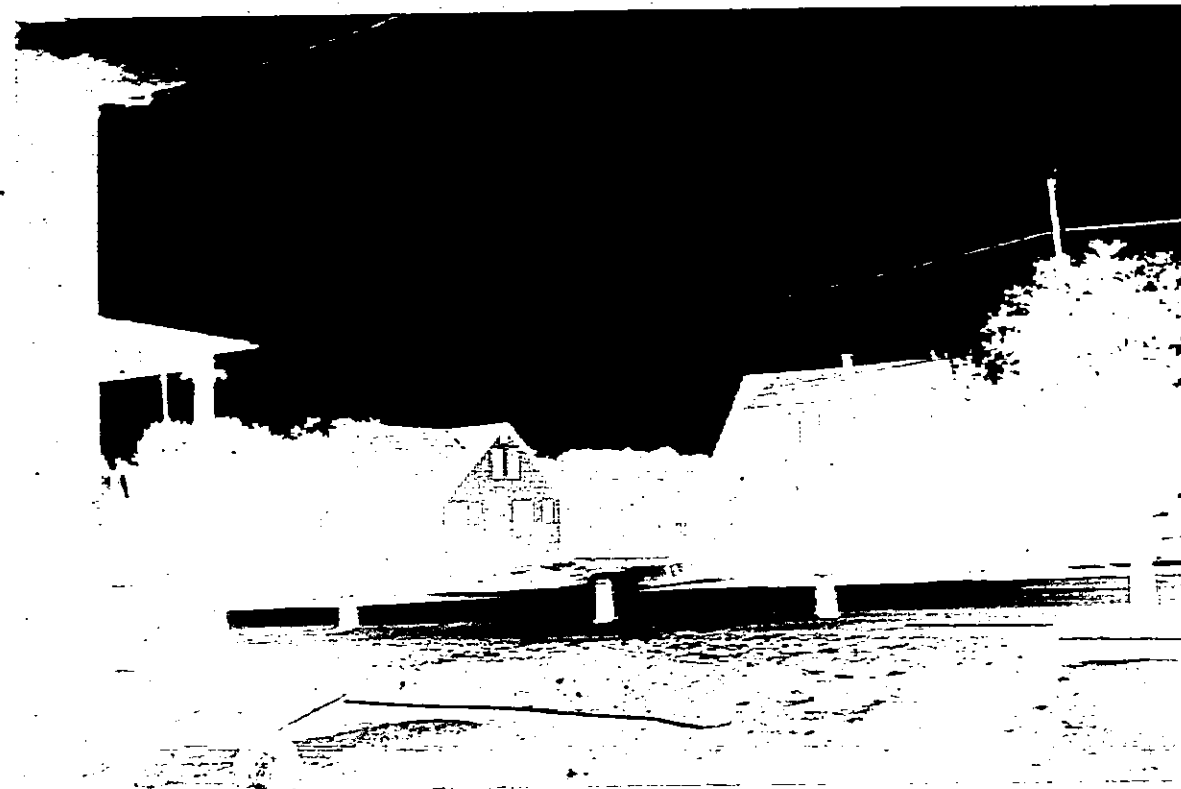
I am the owner and operator of the business and property located at 7901 Belair Road and known Fullerton Auto Service Center. I have no objection to the proposed McDonald's restaurant to be located at 7907-09 Belair Road, which is next to my property.

Paul A. Bourquin, pres

*Paul A. Bourquin, pres.*  
Bourquin Enterprises, Inc.

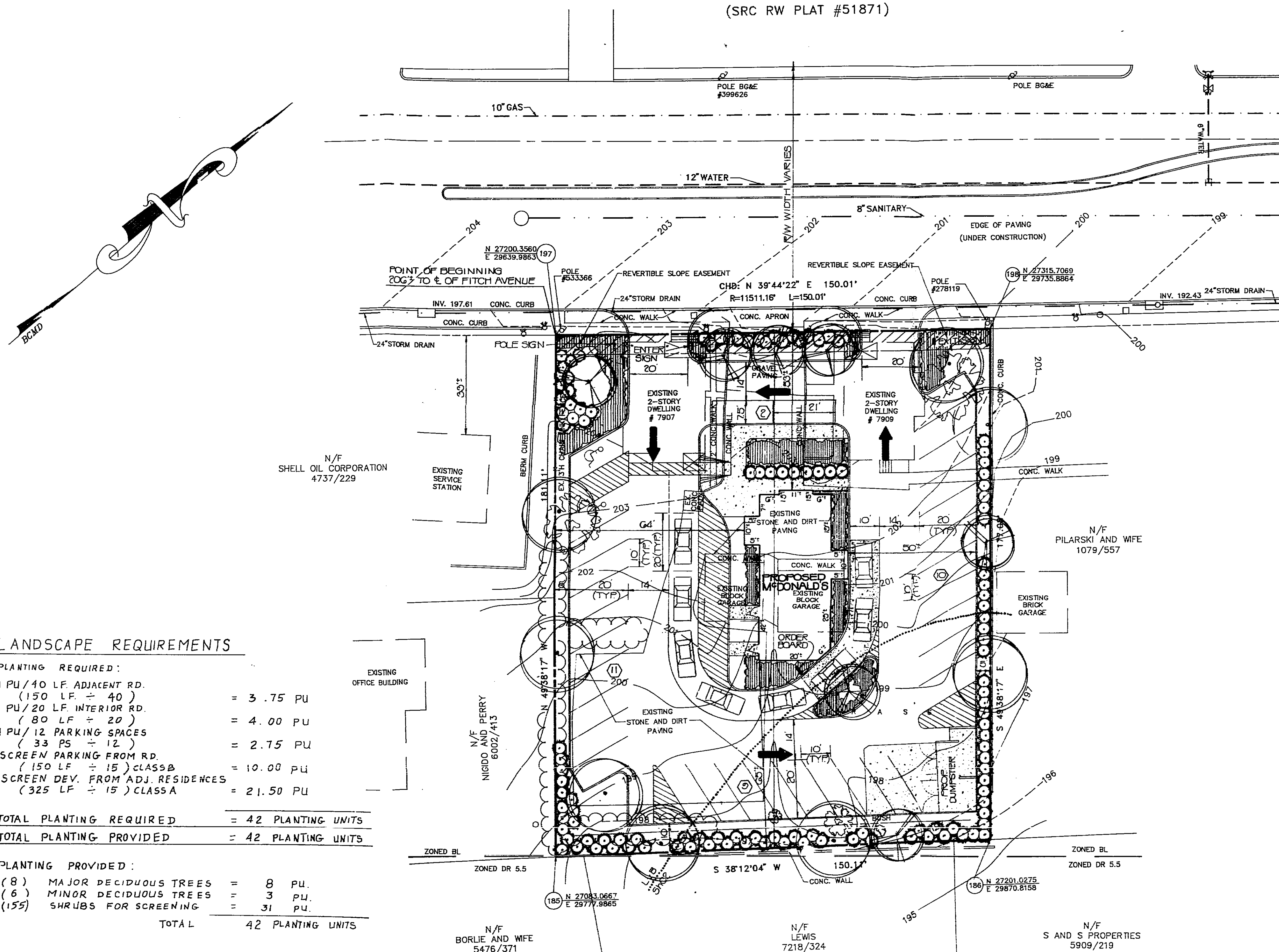
PETITIONER'S  
EXHIBIT  
7

Pettitox's  
Exhibits 2A-2E  
3A-3F  
4A-4K and  
5  
photographs in  
Case 95-494-A





# BELAIR ROAD (US ROUTE 1) (SRC RW PLAT #51871)



## LANDSCAPE REQUIREMENTS

|   |            |
|---|------------|
| PLANTING REQUIRED:  |            |
| 1 PU/40 LF ADJACENT RD.<br>(150 LF ÷ 40)                  | = 3.75 PU  |
| 1 PU/20 LF INTERIOR RD.<br>(80 LF ÷ 20)                   | = 4.00 PU  |
| 1 PU/12 PARKING SPACES<br>(33 PS ÷ 12)                    | = 2.75 PU  |
| SCREEN PARKING FROM RD.<br>(150 LF ÷ 15) CLASS B          | = 10.00 PU |
| SCREEN DEV. FROM ADJ. RESIDENCES<br>(325 LF ÷ 15) CLASS A | = 21.50 PU |

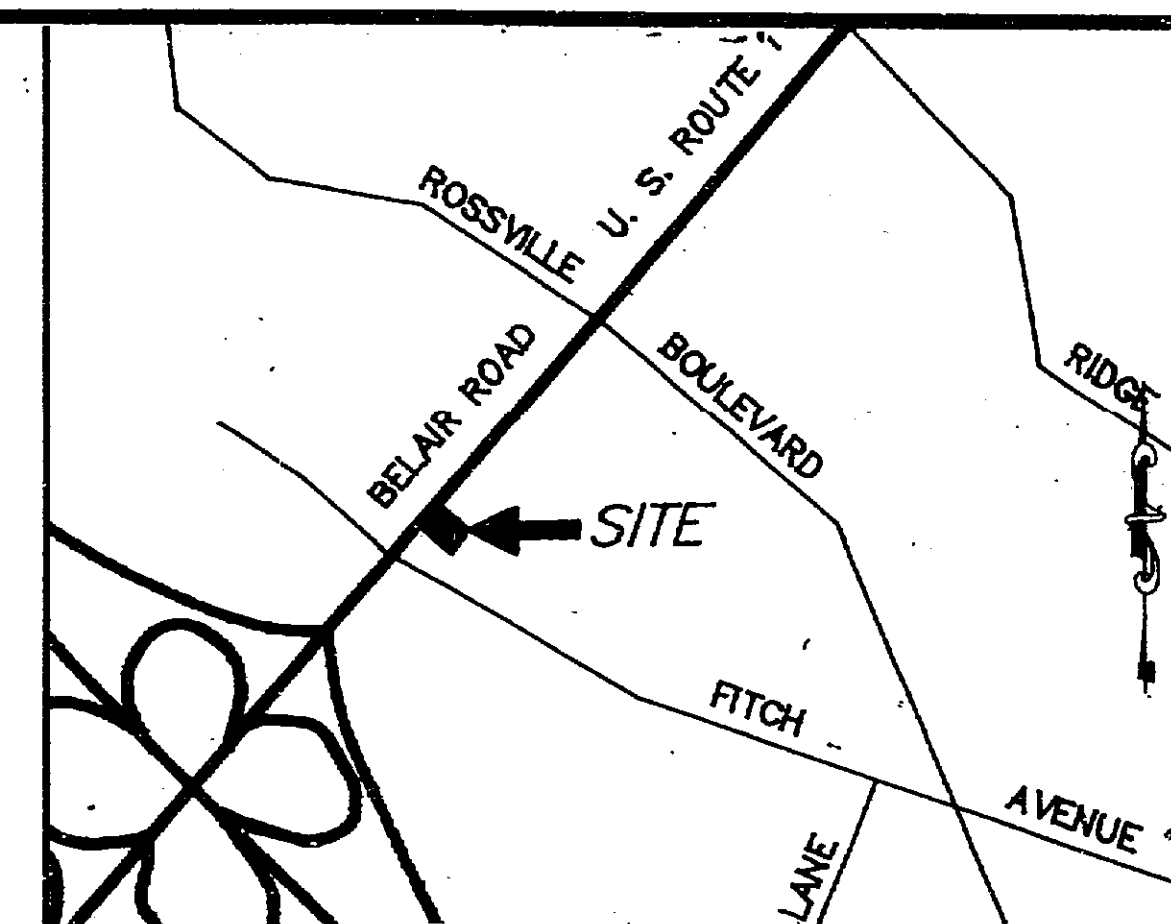
|                         |                     |
|-------------------------|---------------------|
| TOTAL PLANTING REQUIRED | = 42 PLANTING UNITS |
| TOTAL PLANTING PROVIDED | = 42 PLANTING UNITS |

|                            |                   |
|----------------------------|-------------------|
| PLANTING PROVIDED:         |                   |
| (8) MAJOR DECIDUOUS TREES  | = 8 PU.           |
| (6) MINOR DECIDUOUS TREES  | = 3 PU.           |
| (155) SHRUBS FOR SCREENING | = 31 PU.          |
| TOTAL                      | 42 PLANTING UNITS |

## KEY

- MAJOR DECIDUOUS TREE  
2-2 1/2" CAL.
- MINOR FLOWERING TREE  
1 1/4 - 1 3/4" CAL.
- EVERGREEN SHRUBS FOR SCREENING
- LOW SHRUBS OR GROUND COVER

NOTE THE MINIMUM SHRUB HEIGHT @ INSTALLATION FOR:  
CLASS A SCREEN IS 30"  
CLASS B SCREEN IS 18"



VICINITY MAP  
SCALE 1"=1000'

## GENERAL NOTES

- Owner: 7907-7909 Belair Associates  
P.O. Box 21545  
Baltimore, Md. 21208-0541
- Applicant: McDonald's Corporation  
8850 Stanford Blvd.  
Columbia, Md. 21045  
(410) 290-0000
- Existing Zoning: BL Zoning Map No. NE-7E
- Building Area: 1589 Sq. Ft. Building Height: One story
- Parking Required @ 16/1,000 Sq. Ft.: 25 Spaces  
Parking Provided: 33 Spaces, including 2 handicap
- Average Daily Trips @ 785/1,000 Sq. Ft. = 1249 ADTs
- There are no existing underground fuel and chemical storage tanks on site. There are existing fuel storage tanks on the adjacent automobile service station.
- Existing land uses within 200 ft. of the site consist of single family residential and commercial uses.
- Proposed signs:  
50 sq. ft. Pole Sign (double-sided); Height - 25 ft.  
44 sq. ft. Freestanding Order Board (single-sided)
- All paving will be durable and dustless surface.
- Illumination for off-street parking will not reflect into residential lots.
- Proposed Building - 1589 Sq. Ft.  
Lot Area - 26,850 Sq. Ft.  
F.A.R. - 0.06
- Variances are requested from Section 409.4 of the BCZR to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; Sec. 409.10(B) of the BCZR to permit a drive-through lane to cross the principal pedestrian access to the facility; Sec. 409.4 (A) to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; Sec. 409.10 (A) for 4 stacking spaces of the required 5 spaces; Sec. 409.10 (A) for 4 stacking spaces behind the order board in lieu of the required 5 spaces; Sec. 413.2(F) of the BCZR to permit business signs totalling 144 square feet in lieu of the required 100 square feet; and Sec. 409.8(A) (1) of the BCZR to permit a 5-foot landscape buffer in lieu of the required 10 feet.
- Zoning Case No. 89-136-X, Order dated June 23, 1989 and Amended Order dated April 6, 1990, granted approval for an automobile service facility on this site. (See Sheet 2 for text of zoning orders)

Z.A.D.M. No. XIV-281

## MCDONALD'S RESTAURANT 7907 BELAIR ROAD PLAN TO ACCOMPANY VARIANCE PETITION

14TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND  
SCALE 1"=20' JUNE 21, 1995  
6TH COUNCILMANIC DISTRICT

## Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners

3723 Old Court Road, Suite 206  
Baltimore, Maryland 21208

Telephone: (410) 653-3838  
Facsimile: (410) 653-7953



|                     |               |
|---------------------|---------------|
| DATE: JUNE 21, 1995 | SCALE: 1"=20' |
| JOB NO: 94116       |               |
| DESIGNED: MD        |               |
| DRAWN: MD / MEX     |               |
| CHECKED: H.K. JR.   |               |
| FILE:               |               |
| DRAWING NUMBER:     | 94116CON.DWG  |

| NO. | DATE | REVISIONS: | BY | SHEET 1 OF 2 |
|-----|------|------------|----|--------------|
|-----|------|------------|----|--------------|

PRINTED

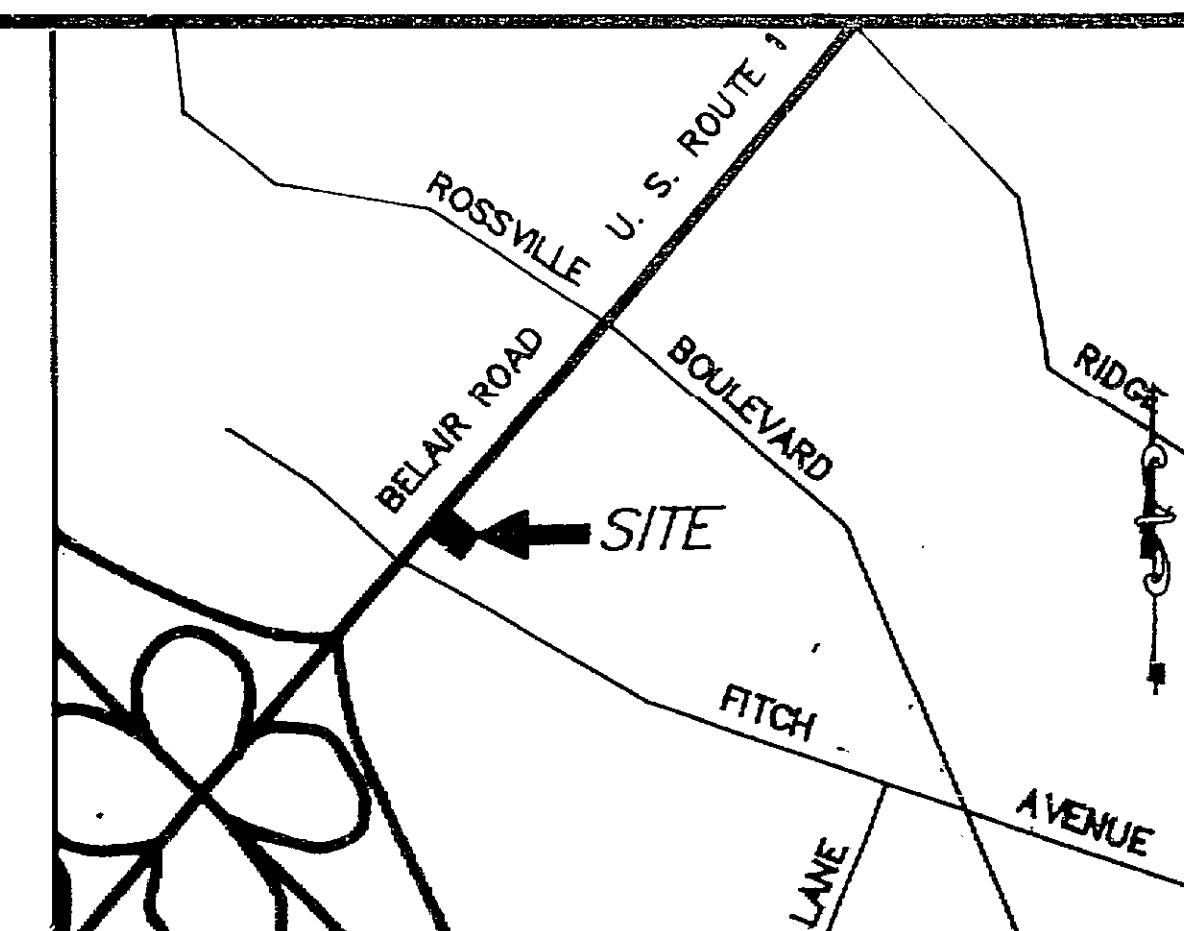
JUN 28 1995

COLBERT MATZ ROSENFELT, INC.



# BELAIR ROAD (US ROUTE 1)

(SPC PW PLAT #5871)



VICINITY MAP  
SCALE 1"=1000'

## GENERAL NOTES

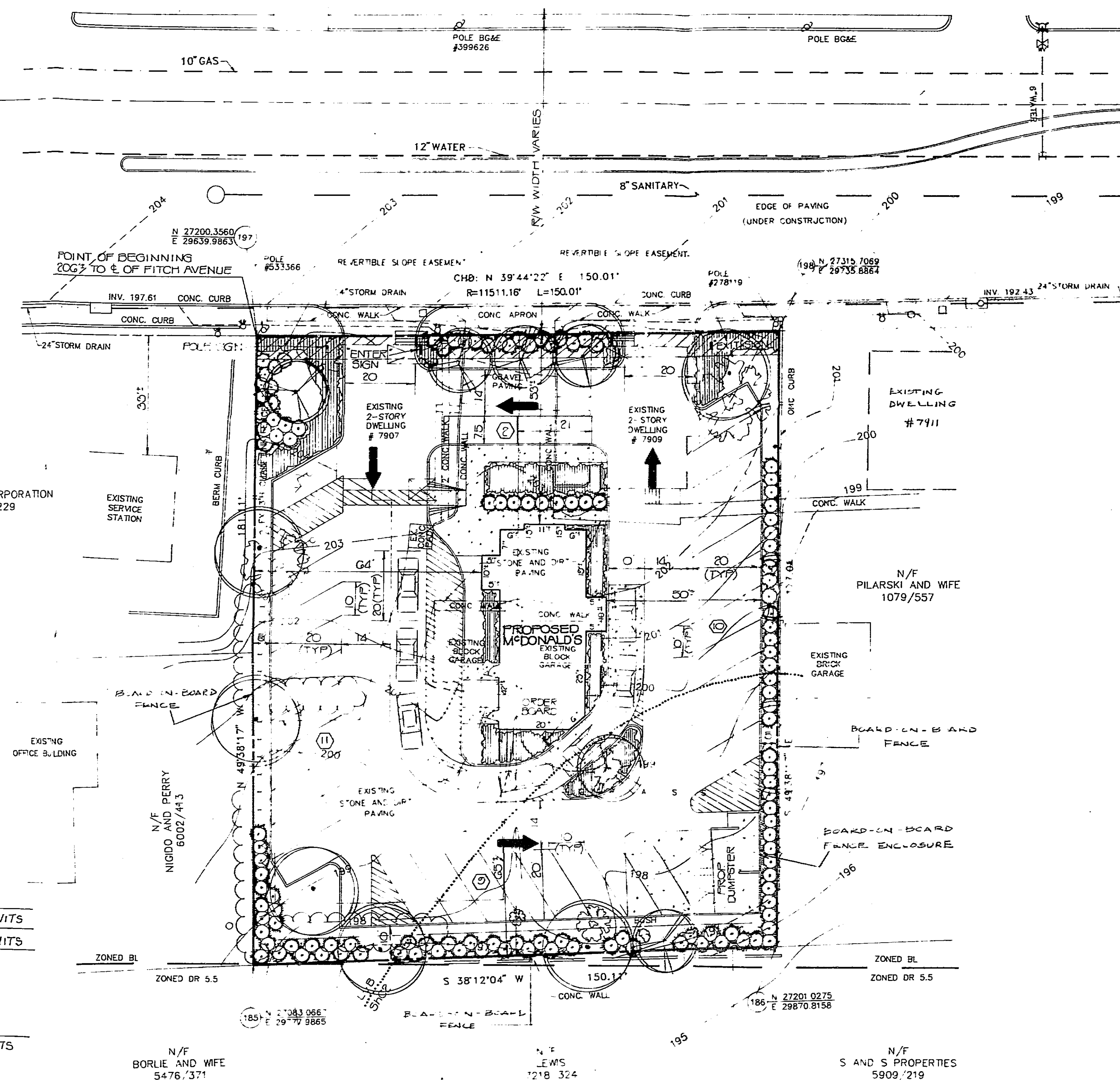
- Owner: 7907-7909 Belair Associates  
P.O. Box 21545  
Baltimore, Md. 21208-0541
- Applicant: McDonald's Corporation  
8850 Stanford Blvd.  
Columbia, Md. 21045  
(410) 290-0000
- Existing Zoning: BL Zoning Map No. NE-7E
- Building Area: 1589 Sq. Ft. Building Height: One story
- Parking Required @ 16/1,000 Sq. Ft.: 25 Spaces  
Parking Provided: 33 Spaces, including 2 handicap
- Average Daily Trips @ 786/1,000 Sq. Ft. = 1249 ADTs
- There are no existing underground fuel and chemical storage tanks on site. There are existing fuel storage tanks on the adjacent automobile service station.
- Existing land uses within 200 ft. of the site consist of single family residential and commercial uses.
- Proposed signs:  
50 sq. ft. Pole Sign (double-sided); Height - 25 ft.  
44 sq. ft. Freestanding Order Board (single-sided)
- All paving will be durable and dustless surface.
- Illumination for off-street parking will not reflect into residential lots.
- Proposed Building - 1589 Sq. Ft.  
Lot Area - 26,850 Sq. Ft.  
F.A.R. - 0.06
- Variances are requested from Section 409.4 of the BCZR to permit a 14-foot one-way parking aisle in lieu of the required 16 feet; Sec. 409.10(B) of the BCZR to permit a drive-through lane to cross the principal pedestrian access to the facility; Sec. 409.4 (A) to permit a 10-foot one-way drive aisle in lieu of the required 12 feet; Sec. 409.10 (A) for 4 stacking spaces behind the order board in lieu of the required 5 spaces; Sec. 413.2(F) of the BCZR to permit business signs totalling 144 square feet in lieu of the required 100 square feet; and Sec. 409.8(A)(1) of the BCZR to permit a 5-foot landscape buffer in lieu of the required 10 feet, 409.4(a) for parking off the driveway in lieu of the required 10 feet.
- Zoning Case No. 89-136-X, Order dated June 23, 1989 and Amended Order dated April 6, 1990, granted approval for an automobile service facility on this site. (See Sheet 2 for text of zoning orders)

## LANDSCAPE REQUIREMENTS

|   |            |
|---|------------|
| PLANTING REQUIRED:  |            |
| 1 PU/40 LF ADJACENT RD<br>(150 LF = 40)                   | = 3.75 PU  |
| 1 PU/20 LF INTERIOR RD<br>(80 LF = 20)                    | = 4.00 PU  |
| 1 PU/12 PARKING SPACES<br>(33 PS = 12)                    | = 2.75 PU  |
| SCREEN PARKING FROM RD<br>(150 LF = 15) CLASS B           | = 10.00 PU |
| SCREEN DEV. FROM ADJ. RESIDENCES<br>(325 LF = 15) CLASS A | = 21.50 PU |

|                         |                     |
|-------------------------|---------------------|
| TOTAL PLANTING REQUIRED | = 42 PLANTING UNITS |
| TOTAL PLANTING PROVIDED | = 42 PLANTING UNITS |

|                            |                   |
|----------------------------|-------------------|
| PLANTING PROVIDED:         |                   |
| (6) MAJOR DECIDUOUS TREES  | = 6 PU            |
| (6) MINOR DECIDUOUS TREES  | = 3 PU            |
| (165) SHRUBS FOR SCREENING | = 33 PU           |
| TOTAL                      | 42 PLANTING UNITS |



## KEY

- MAJOR DECIDUOUS TREE  
2-2 1/2" CAL
- MINOR DECIDUOUS TREE  
1 1/2 - 1 3/4" CAL
- EVERGREEN SHRUBS FOR SCREENING
- LOW SHRUBS OR GROUND COVER

NOTE: THE MINIMUM SHRUB HEIGHT @ INSTALLATION FOR CLASS A SCREEN IS 30" CLASS B SCREEN IS 18"

Amended Plat -  
Enter as Exhibit

Z.A.D.M. No. XIV-231

## MCDONALD'S RESTAURANT 7907 BELAIR ROAD AMENDED PLAN TO ACCOMPANY VARIANCE PETITION

14TH ELECTION DISTRICT  
SCALE 1"=20'  
6TH COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND  
JUNE 21, 1995

## Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners

3723 Old Court Road, Suite 206  
Baltimore, Maryland 21208

Telephone: (410) 653-3838  
Facsimile: (410) 653-7953



|                     |                  |
|---------------------|------------------|
| DATE: JUNE 21, 1995 | SCALE: 1"=20'    |
| JOB NO. 94-16       | DESIGNED BY: MCR |
| DRAWN BY: MCR       | CHECKED BY: MCR  |
| FILE NO.            | DRAWING NUMBER   |
| NO.                 | DATE             |
| REVISIONS           | BY               |
| SHEET               | OF 2             |

## PETITIONER'S EXHIBIT

94115CON.DWG